



**NEW SOUTH WALES**



*Legislative Assembly*

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**FIFTY-FIRST PARLIAMENT  
THIRD SESSION**

**OFFICIAL HANSARD**

**Thursday, 30 April 1998**

# LEGISLATIVE ASSEMBLY

Thursday, 30 April 1998

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**Mr Speaker** (The Hon. John Henry Murray) took the chair at 10.00 a.m.

**Mr Speaker** offered the Prayer.

## INDEPENDENT COMMISSION AGAINST CORRUPTION

### Report

**Mr Speaker** tabled, pursuant to section 74 of the Independent Commission Against Corruption Act 1988, the report entitled "Investigation into Parliamentary and Electorate Travel: First Report", dated April 1998.

**Ordered to be printed.**

## UNIVERSITY OF NEW SOUTH WALES AMENDMENT (ST GEORGE CAMPUS) BILL

### Second Reading

**Debate called on, and adjourned on motion by Mr O'Doherty.**

## WATER SUPPLY AUTHORITIES AMENDMENT (CENTRAL COAST WATER AND SEWERAGE) BILL

**Notice of motion called on, and postponed by Mr Hartcher.**

## LAND TAX LEGISLATION AMENDMENT (PROTECTION OF PRIVATE HOMES) BILL

**Bill introduced and read a first time.**

### Second Reading

**Mr COLLINS** (Willoughby—Leader of the Opposition) [10.10 a.m.]: I move:

That this bill be now read a second time.

The coalition's Land Tax Legislation Amendment (Protection of Private Homes) Bill does one simple thing: it reverses Labor's changes to land tax on owner-occupied homes. It ensures that homeowners who have been hit with land tax as a result of Labor's changes will be spared the tax in the future.

This bill gives expression to the coalition's fundamental belief that no-one should be taxed for living in his or her own home. It is difficult to adequately—

**Mr E. T. Page:** It has gone on for 100 years. What do you think council rates are?

**Mr COLLINS:** You will get a chance to speak in the debate later. You should seek the call later. I can see that the Minister for Local Government is deeply agitated by this, as he should be. The Minister for Local Government and member for Waverley is panic-stricken by the impact the land tax issue is having on him because people in his electorate—you asked for it—

**Mr E. T. Page:** Asked for it? I want the facts.

**Mr COLLINS:** Mr Speaker, I seek the indulgence of the House to be given a chance to introduce this bill and not to have the persistent sniping and carping of this panicked Minister during my speech. I can understand the alarm he feels because he will not be here after the next election as a result of the increase in land tax. If there is one bill which—

**Mrs Chikarovski:** On a point of order. Mr Speaker, it has always been your habit to insist that members standing to speak in the House be heard in silence. I ask you to call the Minister for Local Government to order and allow the Leader of the Opposition to be heard. This is significant legislation. Members of the House want it to be dealt with and we would like to be able to listen to the Leader of the Opposition with the normal courtesies of the House.

**Mr SPEAKER:** Order! The Leader of the Opposition should address his remarks through the Chair and ignore interjections.

**Mr COLLINS:** Mr Speaker, I naturally respect the Chair and direct my remarks through the Chair. I was diverted by the rude and persistent interjections of the Minister. I can well understand the alarm and panic being felt through Labor ranks which is evident at the very outset of this debate in view of the latest Morgan poll in relation to land tax

on residential properties. Respondents were asked, "Do you think the Carr Government is doing a good job or a poor job about land tax on residential properties?" This is what Labor voters said and this is why the Minister will not shut up during this debate. This is why the member for Waverley will not be here after the next election.

**Mr E. T. Page:** There is no member for Waverley. I will not be the member for Waverley; I am the member for Coogee.

**Mr COLLINS:** This is why the member for Waverley is so panic-stricken. He keeps interjecting in the hope that I will not read these figures on to the record but here goes: ALP voters—

**Mr Markham:** You are having a bad morning.

**Mr COLLINS:** We are having a bad morning? By the time the day is over Labor support will be down another 5 per cent. The Morgan poll results show that of ALP voters—not coalition voters, not millionaires—25 per cent thought the Carr Government was doing a good job on land tax and 48 per cent thought the Carr Government was doing a poor job on land tax. And 27 per cent could not say just yet. But on 27 March next year they will have worked it out. The Minister will not be here after 27 March on this issue alone. If this fumbling, inept and totally stupid Government had done everything else right except land tax, on this issue alone it would be swept from office. Even if other portfolios had been handled properly—and I cannot name one that has been—on this issue alone it would lose the next election.

The bill gives expression to the coalition's fundamental belief that no-one should be taxed for living in his or her own home. It is difficult to adequately measure the hardship caused by Labor's land tax changes. Labor voters are turning against the Carr Government on the land tax issue, as is the rest of the community. As I said, 48 per cent of Labor voters say that the Carr Government is doing a poor job on land tax; only 25 per cent—obviously including the Minister—support the land tax hike. Perhaps the starkest illustration of the hardship caused by the increased land tax can be found by looking at how land tax revenue has soared under the Carr Government. In the last three years of the former coalition government land tax revenue decreased dramatically and the burden on taxpayers was eased. In 1992-93 land tax revenue diminished by 33.5 per cent. On top of that, revenue fell by 5.5 per cent in 1993-94 and by 1.7 per cent in 1994-95. The result was a drop in total land tax paid to just

\$510 million in the coalition's last year in government. In contrast, the current Carr Labor Government is presiding over a \$339 million increase in land tax revenue.

In 1998-99 Labor's land tax is estimated to hit a record-breaking \$888 million. To achieve this the Carr Government will have increased land tax revenue by 13.7 per cent in its first year in office, 7.8 per cent in its second year, a massive 25.8 per cent in its third year, and 13 per cent in 1998-99. Bald statistics might seem academic to the Premier and Treasurer but they represent real pain and hardship inflicted on the community of New South Wales. Last year the Premier claimed in his answers to questions about tax that land tax would hit only the silvertails of the eastern suburbs. The truth, however, is that the tax on family homes is hitting many ordinary families and many aged pensioners. It is penalising many people for the simple crime of living in their own home. And many of them just do not have the money to pay.

Had the Premier or Treasurer bothered to attend the land tax rally held outside this Parliament earlier this year they might have some idea of the hardship that their increased land tax is causing. They would know that their tax on family homes is hurting people—people such as members of the family I met at Gladesville faced for the first time with a huge land tax bill they simply cannot afford to pay. The owner of one home I visited said that she had just one option: to commute her land tax liability until after her death, effectively bequeathing to her family a death duty payable to this Labor Government. Every day she watches her estate slide in value as she racks up more and more debt to the Carr Labor Government. Every day she owns less and less of the home she saved for. Every day Labor owns more and more of it. Another Gladesville resident whom I met has suddenly received a \$4,950 bill for the privilege of living in her family home of 30 years. Her words, reported in the *District Times* of 11 March 1998, speak volumes. She said:

I don't have a spare \$5,000 lying around . . . Michael Egan keeps saying this tax is only for "the silvertails and the millionaires", but the only trouble is I can't cash in a piece of soil.

In income, she is not a millionaire; she is simply being taxed by the Carr Government as if she were. What is worse is that the land tax is a growth tax in two ways. First, as land values rise, more homes will be caught in Labor's land tax trap. As Sydney property prices grow, so too will the list of families forced to pay Labor for the privilege of living in their own home. Second, New South Wales Labor, just like its Labor counterparts interstate, will seek

to lower the threshold from the present setting of \$1 million if it is returned to office at the next State election.

Make no mistake! The present threshold is simply a foot in the door. Watch it drop in the event that Labor is returned to office at the next State election. Most homes within 20 kilometres of the Sydney GPO will attract land tax if the threshold is reduced to, say, \$200,000, which was the threshold chosen by Labor in Victoria before Premier Jeff Kennett scrapped it. The message for the people of New South Wales is crystal clear: land tax is coming to a street near you. If you do not have to pay it yet, you will pay it soon. You will pay it if the Carr Government is returned to office at the 1999 State election.

This bill will overturn the effect of Labor's State Revenue Legislation Amendment Act 1997 in so far as it imposed land tax on land comprising a person's principal place of residence. It restores section 10(1)(r) of the Land Tax Management Act 1956 to exempt from land tax a principal place of residence. It peels back Labor's changes and restores the status quo. The reason for Labor's land tax changes is clear. This land tax hike is designed to plug Labor's worsening budget crisis. In other words, land tax payers are paying for Labor's financial incompetence in New South Wales. At budget time last year the Treasurer proudly boasted:

Not a province, state or country in the world has a fair dinkum surplus budget like that of New South Wales—not a country in the world.

However, only 16 weeks later, on 16 September 1997, the Treasurer was forced to report to the Labor caucus behind closed doors that:

This year's budget and the next are in serious trouble . . . The outlook for the two years is bleak.

Unfortunately for New South Wales, the Premier and the Treasurer have failed to follow the fiscal principles they espoused while in opposition. Consequently, New South Wales now languishes, compared with the other States and Victoria in particular. Last week Victoria won back its AAA rating. Its economy has recovered miraculously under Premier Jeff Kennett after being destroyed by Premier Joan Kirner, Premier John Cain and the Labor Party in Victoria. That is a warning about what will happen in New South Wales if Labor remains in office after the next election. Queensland has maintained its AAA rating.

Ratings agencies must be looking askance at the budget gymnastics of our Treasurer and Premier.

While in opposition the Premier claimed that he would restrain government spending; cut taxes, especially business taxes; reduce budget debt and balance the budget. An independent analysis reveals that the Carr Labor Government has failed to deliver on these commitments. Moreover, the Carr Government has squandered the benefits of inheriting the best performing economy in Australia and failed to capitalise on record receipts as a result of a buoyant national economy and the coming Sydney Olympics. The Carr Labor Government displays the classic big-spending, big-taxing characteristics of the Labor Party.

It is important to remember that in March 1995 the Victorian Employers Chamber of Commerce and Industry rated New South Wales as the best performing State in Australia. This was not a New South Wales rating; this was Victoria giving credit where it was then due. In the latest report New South Wales is the second worst performing State. Under the Carr Government New South Wales has slipped from being the best performing to the second worst performing State in Australia on that independent analysis.

In 1995 New South Wales emerged from the nation's worst recession since the Great Depression with the highest employment growth. When Labor won office in 1995 New South Wales had the lowest tax growth of any Australian State. Taxes were frozen for two years under the coalition Government. In fact, we delivered a \$50 million a year payroll tax cut. Had the coalition's economic policies been maintained—all Labor had to do was maintain the policies and direction—New South Wales would have seen a permanently balanced budget by 1997-98, the financial year now drawing to a close. Unfortunately, after three years of the Carr Government the New South Wales economy is now characterised by a very different set of economic results.

Worst of all is the number of new taxes and tax increases. From a Premier who promised no new taxes and no tax increases we have a new bed tax, an extended base for payroll tax, a land tax hike, a higher parking space levy, a higher health insurance levy, an increase in the general insurance duty, higher hospital charges, higher stamp duty on car registration, a new electricity distributor levy, a 10 per cent hike in public transport fares, more expensive school bus passes, a higher car stamp duty rate and a whopping 52 per cent increase in green slips. The list goes on: workers compensation up, council rates up, water rates up, a new development levy in downtown Sydney, water disposal charges up, rural water prices up, cigarette

taxes up, drivers licence fees up, car registrations up and a new sports betting tax.

That adds up to about \$2.5 billion in extra taxes and charges each year imposed on New South Wales taxpayers. That equates to about \$1,000 each year from the pockets of ordinary families, with much of it coming from the pockets of people guilty of saving for and living in their own home. It makes New South Wales the highest taxed State in the Commonwealth by a country mile. In conclusion, this bill is the first strike against Labor's land tax hike. It will peel back Labor's tax hike and restore fairness to families. It will tell Australians once and for all that under a coalition government no persons should be taxed for living in their own home. I commend the bill to the House.

**Debate adjourned on motion by Mr E. T. Page.**

## LEGISLATIVE COUNCIL VACANCY

### Joint Sitting

**Mr SPEAKER:** Order! I report the receipt of a message from His Excellency the Governor convening, on 30 April at 11.30 a.m., a joint sitting of the members of the Legislative Council and the Legislative Assembly for the purpose of the election of a person to fill the seat in the Legislative Council vacated by the Hon. Elizabeth Ann Symonds.

## UNIVERSITY OF NEW SOUTH WALES AMENDMENT (ST GEORGE CAMPUS) BILL

### Second Reading

**Mr Hartcher:** Mr Speaker, it is not yet 10.30. I am aware of the problems created by the House finishing at midnight. I seek the leave of the House to suspend standing orders to enable the member for Ku-ring-gai to complete his second reading speech on the University of New South Wales Amendment (St George Campus) Bill. He will only take 10 minutes.

**Mr SPEAKER:** He will then impinge on the speaking time of other members.

**Mr Hartcher:** I understand that. The honourable member for Coffs Harbour, who has the carriage of the next matter in the list, agrees to the proposal.

**Leave not granted.**

## PARLIAMENTARY ELECTORATES AND ELECTIONS AMENDMENT (VOTER IDENTIFICATION) BILL

### Second Reading

#### Debate resumed from 2 April.

**Mr MacCARTHY** (Strathfield) [10.29 a.m.]: When the bill was last debated I noted a whiff of hypocrisy in this Chamber. The delay of the past few days is nothing compared to the long history of this bill. In my opening remarks I referred to the whiff of hypocrisy that I detected in the Chamber at that time. The passage of a few days has done nothing to eliminate that whiff of hypocrisy. I have heard and read in *Hansard* numerous Labor Party members complaining about the various election system rorts, yet they oppose this bill, which seeks to fix a notorious rort in the electoral system.

The whiff of hypocrisy about which I was speaking last week still lingers as Labor members complain about a bill which seeks to correct an electoral rort even though they have spent considerable time talking about electoral rorts. Labor members who oppose the bill were wrong in asking the proposer of this bill, the honourable member for Coffs Harbour, to prove a negative. However, coalition speakers have made the eloquent point that the system does not allow for proof of that negative, and this is the problem with the present voting system. There is ample anecdotal evidence of attempts to vote in another person's name. The Hon. J. H. Jobling gave the classic example that when he was scrutineering in The Entrance by-election three people tried to vote in someone else's name.

**Mr E. T. Page:** Did he charge them?

**Mr MacCARTHY:** They ran faster than the Hon. J. H. Jobling. Likewise, when I was scrutineering in the Parramatta by-election I identified someone who had voted earlier and drew it to the attention of the polling clerk. That person then took off like a startled rabbit. Later inquiries revealed that he had already voted twice. We never found out who he was because he ran quickly. Democracy falls into disrepute if the voting system is unfair. The voting system, which should ensure that each person has only one vote, is not secure. Six months ago the honourable Labor member for Hurstville outlined to the House the statistics of double voting at the last election. These are the figures he gave: six cases in Murwillumbah, eight in The Entrance, eight in Penrith, 11 in Sutherland,

Hurstville and the Blue Mountains, 12 in Badgerys Creek, 13 in Gladesville, 14 in Kogarah, 22 in Northcott, 23 in Coffs Harbour, and 34 in the seat of Drummoyne. All these examples have been proven.

From time to time seats have been won by narrow margins of this order. At the last election the seat of Badgerys Creek was won on the proverbial two bus loads of votes. Discovery of even a handful of incorrect votes, such as 20, 30 or even 10, can raise the spectre that there may be further votes not proven incorrect but still dodgy. The present system leaves itself open to accusations of rorting at every close election. How easy it is to rort the system! It is easier to be placed on the electoral roll than it is to obtain a video card to borrow a video. It is easy to provide a dodgy name because few checks are made, and on election day it is even easier to impersonate someone else.

Many honourable members introduce themselves by mail to new electors to offer their services and, as regular as clockwork, letters are returned with the notation "Unknown at this address". There is considerable anecdotal evidence that some people provide incorrect addresses for the electoral roll. Over the 30 years that I have been involved in politics I have heard of many examples of that happening. I assert that this occurs in Labor electorates, although Labor members suggest it happens in seats held by National and Liberal members. Discussion of this topic on talkback radio and in the press puts the voting system into disrepute. The bill will not entirely eliminate the problem but it will significantly reduce opportunities for rorting. It will improve the reputation of the electoral system and foster confidence in the system.

The proposal of the honourable member for Coffs Harbour is not onerous. The bill stipulates many forms of identification, such as: a birth certificate or a certified copy; a citizenship certificate or a certified copy; a current passport; a passport which has expired in the last two years; a marriage certificate; a divorce decree; a deed poll; evidence of electoral enrolment issued under this Act or under any Commonwealth Act; a current motor vehicle driver's licence; a current pensioner health benefits card or a pensioner transport concession card; a current Medicare card; a current credit card, savings account card, passbook or statement issued by a bank; a proof-of-age card issued by the Roads and Traffic Authority or the corresponding traffic authority of another State or Territory; an income tax assessment; a certificate of identification or discharge papers issued by a branch of the armed services of the Commonwealth; a rate notice issued under the Local Government Act or a

valuation notice issued under the Valuation of Land Act.

I would be surprised if the average voter could not put his or her hands on many of those documents at a moment's notice. I could find more than half a dozen and my children would be able to avail themselves of at least half a dozen of those documents for easy identification. The bill does not place a great onus upon the voter. Surely it is not unreasonable to expect that a person who wants to vote to select a government to control the affairs of this State for the next four years should be required to prove an entitlement to cast that vote, especially in light of the rorts that are endemic in the system and well known to every member of this House.

Labor opposition to this bill is not hard to comprehend: Labor cannot abide fairness. During the debate last year on electoral redistributions the Government refused to have included in the Act a criterion in the setting of the boundaries that required the electoral commissioners to take fairness into account. The Labor Government is not interested in fairness. When the commissioners produced a reasonably fair set of electoral boundaries—the coalition will still need more than a majority of votes to obtain government—Labor squeals could be heard for miles because it does not want an electoral system that gives everybody a fair go; it wants to entrench advantage for the Australian Labor Party.

This bill is designed to ratchet those Labor rorts back one small notch. Labor's only concrete objection was that its voters might not remember to bring identification to the polling station. What a condescending and insulting attitude to Labor voters! Labor thinks its voters are so stupid that they could not remember to bring a driver's licence, bankbook or electoral enrolment card as proof of identification. Labor has had at least one stupid Minister—until the resignation of the former Minister for Fair Trading today—but that does not mean that Labor supporters are stupid. Rather, Labor voters are misguided. Like any other voters, Labor voters have enough brains to bring a driver's licence, bank statement, rate notice or similar document to prove they are who they say they are.

The honourable member for Bathurst catalogued a litany of alleged past Country Party malpractices, none of which are relevant to this bill. He claimed that his presence as a scrutineer in the Castlereagh by-election many years ago increased the Labor vote by 50 per cent—I believe it increased from two votes to three. He said that that was evidence of Country Party voting rorts. Each one of

us has a similar tale about voting rorts. The Liberal Party vote improved 150 per cent in his own backyard in Duckmaloi in the 1967 Bathurst by-election when I was a scrutineer. These and other stories about the voting system are evidence that the community is not confident that the electoral system cannot be rorted. People know that from time to time the system can be, and is, rorted, just as they know that in a close election it is possible that the will of the people will not prevail. At the last election the coalition received more votes than the Government but the will of the people was thwarted.

It is a fact of political life that one party accuses the other of malpractice, but that only brings the system into disrepute. The voting system is in disrepute and this bill seeks to fix one element of it. The bill will make it more difficult for one person to vote many times under another person's name on election day. If a simple bill can prevent that happening, we as legislators owe it to the people of New South Wales, to this Parliament and to democracy to introduce such a proposal. The honourable member for Coffs Harbour introduced this bill nearly 2½ years ago and finally it will have a decision. The Government should get behind the honourable member for Coffs Harbour and give unanimous support to the bill, for democracy and fairness. Why is Labor afraid?

**Mr SMALL** (Murray) [10.44 a.m.]: I support the Parliamentary Electorates and Elections Amendment (Voter Identification) Bill. Some voting practices may be illegal, but most Australians do the right thing by providing proof of their identity before being placed on the electoral roll, on which they remain for life. Many people do not agree that voting should be compulsory. However, New South Wales has a compulsory voting system, which ensures that everybody has the opportunity to vote.

The main purpose of the bill is to overcome vote rorting, that is, the casting of a vote by a person who has not been legally identified and who therefore has no entitlement to vote. As a scrutineer for many years I saw many remarkable voting papers. A scrutineer examining votes does not know the identity of any voter, and can often become perplexed by comments written on the voting papers about methods of identification.

People wishing to migrate to Australia must undergo an extensive process of providing details of who they are, where they are from, their family history, and whether their relatives are in Australia, and must then achieve a points score based on other requirements. By comparison, very little is done to identify a voter. The media have reported that votes

have often been cast in the name of a deceased person whose name had not been removed from the roll. It is obvious that the present system can be abused in certain circumstances.

The honourable member for Coffs Harbour provides in his bill a range of documents that may be used to establish the identity of a person wishing to vote. The Hon. Ernie Page, Minister for Local Government, works very hard in his portfolio, and therefore I have enormous respect for the job that he does. He is prepared to listen to people who propose changes with local government, accepting them at face value and deciding what changes need to be made. Voting legislation is important not only to local government elections but State and Federal elections because once enrolled a person can vote in any of those elections.

If someone abuses the voting system or tries to stack the vote in a marginal seat, the wrong person could be elected. I know that is so only in a marginal seat, but it can happen, and I have no doubt it has happened. In an electorate of 30,000 or 40,000 enrolled voters, taking into account distribution of preferences, the margin can be as few as 30 votes. Then an honest candidate could be at a disadvantage if someone abuses the system in favour of another candidate. That is the real danger of a voting system that can easily be abused.

The changes now being made to electoral boundaries will create more marginal seats, increasing the opportunities for abuse of the voting system. I hope that will not occur. I would like to think that everyone is honest and will do the right thing. Probably 98 per cent of people are honest, but a few dishonest voters could make the difference in who is or is not the successful candidate in a local government or Federal election. I know that this bill proposes changes to a State Act, but it has mainly to do with enrolment of voters and establishing identification when voting.

The bill introduced by the honourable member for Coffs Harbour lists many examples of identification documents that he believes could provide satisfactory proof of identification. It is certainly an improvement on the present system. Even the proposed system will rely on honesty because many people could obtain, for instance, a passport by theft. By the same token, passports have great validity. For those travelling overseas, it is more important to have a passport than money in some circumstances. A passport enables an international traveller to get something done but a person who loses his passport, no matter how much money he has, cannot get on an aeroplane or other

mode of international transport. Passport identification is very important.

Most people would not find it difficult to produce one or more of the documents set out in the amending bill in order to identify themselves, for instance a birth certificate or a certified copy or extract of a birth certificate. The list includes a citizenship certificate or a certified copy of that certificate. Many Australians will have a citizenship certificate issued by the local council—Australia welcomes suitable immigrants and has probably the most multicultural population in the world. Other documents are current passports, or even expired passports as long as they are not older than two years, or a marriage certificate or a certified extract of a marriage certificate.

I and many other honourable members of this House deal with many people who wish to become a Justice of the Peace. Elderly people often find it difficult to produce a birth certificate, but the Registry of Births, Deaths and Marriages is able to assist and issue extracts of marriage certificates and other records. Other documents include a divorce decree, a deed poll, or evidence of electoral enrolment issued under the Act or under any Commonwealth Act. A current motor vehicle driver's or rider's licence or permit held by the person, being a licence or permit issued by the Roads and Traffic Authority or by the corresponding traffic authority of the Commonwealth or of some other State or Territory, are further examples of acceptable identification documents.

Current pensioner health benefits cards or pensioner transport concession cards are among the list of identification documents. These cards are not easily come by. Federal agencies, before issuing such cards, are very particular about checking name, age and other personal particulars. I agree that those cards are suitable documents. Other acceptable documents include a current Medicare card issued by the Commonwealth Department of Human Services and Health, or a current credit card, savings account card, passbook or statement issued by a bank or other financial institution. The range of identification documents is very broad.

Many younger people today have a proof-of-age card issued by the Roads and Traffic Authority or by a corresponding traffic authority of the Commonwealth or another State or Territory to prove that they are of an age that will allow them to enter hotels. I would think a recent income tax assessment issued to a person is a good proof of identification document. I do not think anyone would try to identify with and become liable for

someone else's income tax assessment. That would be the last straw. A certificate of identification or discharge papers issued by a branch of the armed services of the Commonwealth are most worthy identification documents. Other documents are a rate notice issued under the Local Government Act 1993 and a valuation notice issued under the Valuation of Land Act 1916.

These documents broaden the range of ways in which people can establish their identity. A person who cannot meet those broad criteria does not have the right to vote and in my opinion would be intent on abusing the system. Those who cannot produce a drivers' licence, a birth certificate or marriage certificate have a huge range of other documentation available to establish proof of identification for the purposes of enrolment. The bill before the House is a simple but very important measure, particularly when a few voters in an electorate could make the voting very close. In such circumstances the right person may not be elected if there is abuse of the electoral system in marginal electorates. For that purpose alone, this bill is worthy of the support of all honourable members.

Many countries that do not have compulsory voting may have fewer problems with their voting systems. Here in Australia, where we have compulsory voting, which I support, there is more likely to be attempts to abuse the system. I know that in some places votes have been stacked. A person can vote at several booths, even though the name of a person who turns up to vote is marked off the roll. Though multiple voting may be picked up at some future time, it might not be picked up before the result of the poll is declared.

What might appear on its face to be a minor problem could become a major problem if a candidate loses an election because of rorting or abuse of the system. The inclusion of the voter identification provision in the bill introduced by the honourable member for Coffs Harbour will overcome that problem. I congratulate the honourable member on having introduced the bill. I hope that the Government appreciates the purposes for which it has been introduced and will support it.

**Mr JEFFERY** (Oxley) [10.59 a.m.]: I support the private member's bill introduced by the honourable member for Coffs Harbour, the Parliamentary Electorates and Elections Amendment (Voter Identification) Bill. A few weeks ago, during debate on this very bill, the honourable member for Bathurst referred to a former member of this House. Although not referred to by name, that member was the late Clive Osborne and I believe the record



should be set straight in regard to what the honourable member for Bathurst said at that time. He said he had taken a break from watching the cricket to come into the Chamber, and he made some comments about the 1981 electoral redistribution which added Lithgow to the electorate of Bathurst. The honourable member for Bathurst was pitted against the sitting member, Clive Osborne—an excellent representative of the constituents in that electorate.

The honourable member for Bathurst lamented to the House that he had received only 15 out of a batch of 150 absentee votes. He made out it was because someone—not a member of the Australian Labor Party—had fooled around with the ballot boxes. The truth is that the Electoral Commissioner authorised the local constabulary to check the authenticity of the batch of ballot papers and that most of them were ruled invalid. The honourable member for Bathurst also made an assertion about some supposed absentee votes from Parkes, which did not materialise. It is quite obvious that they did not exist in the first place. If one wants to talk about absentee votes, as he did, one only has to consider what happened in the electorate of Oxley in the last State election.

**Mr E. T. Page:** You were at it, too, were you?

**Mr JEFFERY:** It was from the Labor Party. I am not up to those sorts of rorts. I have the support of the people and I do not need multiple votes. There is nothing more important, so far as any democracy is concerned, than the right to vote. We in this country are lucky that when we go to vote we do not have to be watched by servicemen with machine guns on their shoulders or at their sides, as happens in some other countries. We are privileged in Australia, but we need voter identification in order to prevent rorting of the system. As the honourable member for Coffs Harbour said, the last election was won by virtually a couple of busloads of votes in marginal seats. There were, on the schedule 3 multiple voting, a total of 1,433 votes difference—and these figures are from the Electoral Commission—in the 1995 state election. For the Minister's information, in the electorate of Oxley there were seven.

**Mr E. T. Page:** If they had affected your result you could have gone to the Court of Disputed Returns. You did not do that, so your actions indicate that you have no case.

**Mr JEFFERY:** The fact is that there is a very strong case suggesting that there was multiple

voting. You are adding to that case because, as I said, only a couple of busloads of voters made the difference. There was a difference of approximately 200 votes in marginal seats in the last State election. That was the difference, and we are talking about 1,433 votes. The Minister should not try to pull those sorts of stunts. I will return to deal with the comments made by the honourable member for Bathurst because they need to be clarified and corrected. I will return to what I was saying before I was so rudely interrupted by the Minister. The circumstances of the count were so curious so far as the Country Party was concerned, that the leader of the party, Leon Punch, asked, and the Electoral Commissioner agreed, to have the ballot boxes held in the Bathurst police lock-up after each day's count—although the scrutineers certainly did not sleep with the ballot boxes, unlike the incident that the honourable member for Bathurst referred to in relation to the 1976 election count in the electorate of Blue Mountains. He said that on that occasion the scrutineers did sleep with the ballot boxes in the Lithgow police cells. The honourable member also made some other ludicrous assertions about the 1981 election, and I will refer to one in particular. He said that the Country Party had lodged an injunction to restrain the declaration of the poll. That is true. The honourable member said:

The declaration was deferred until the next Tuesday, by which time the Country Party had realised that if the matter went to the Court of Disputed Returns I would win and win easily.

The honourable member for Bathurst neglected to inform the House that the poll was so close that had Clive Osborne received only 16 additional votes—

**Mr O'Farrell:** How many?

**Mr JEFFERY:** If he had received another 16 votes he would have won. He would have been declared elected, not the current member. The parliamentary record therefore should be corrected. I shall inform honourable members of the reason the then Country Party decided not to proceed with the case before the Court of Disputed Returns, despite having collected affidavits from electors indicating they had been wrongly enrolled in the electorate of Castlereagh instead of the electorate in which they lived, namely Bathurst, and knowing it had a very strong case. The reason was that Clive Osborne was a humble person and had such a humble political philosophy that he decided not to sign a petition to the Court of Disputed Returns. Clive was that sort of person. He was uncomfortable—

**Mr E. T. Page:** Because he knew there was no case.

**Mr JEFFERY:** Totally wrong. Unlike the Minister, he was a humble person. He was a good person and he was uncomfortable with the idea that the electors would think that he was a poor loser. That was the reason he did not proceed, notwithstanding the obvious doubt about the election result and the strength of the case before the Court of Disputed Returns. That is the sort of person I am talking about. Clive Osborne was a great member of Parliament and a great person. There is every reason to believe that he and the then Country Party would have been successful in a petition to the court either to declare Clive the victor or to order a fresh election. As I said, the right to vote is most important. Surely we should have voter identification to be able to carry out that single most important duty we have in life, that is the democratic right to vote. I went to get some money from a bank the other day. It had to be a cash advance.

**Mr Scully:** Which bank?

**Mr JEFFERY:** The National Bank. I will give them a plug. I used to work for the ANZ; I go for the whole lot, including the Colonial State Bank and I have declared that on my list of pecuniary interests. I went over to the bank to get a cash advance. I went over to the Elizabeth Street branch of the bank and the teller, a lovely person, asked me for identification. I produced my driver's licence—the photo is not all that good but it was my driver's licence. One could tell that it was a photo of me. It is a new one and the cameras are not quite as good as they should be now that they are under the control of the Minister for Transport, and Minister for Roads, but I will leave that argument until another day. There are many other examples. If one wants to open a post office box or a bank account one has to show identification. There are many things in life for which one has to show identification.

**Mr Scully:** To join the National Party?

**Mr JEFFERY:** The Minister wants to join the National Party. The Minister is trying to get me off the track.

**Mr Scully:** You do not need identification to join the National Party.

**Mr JEFFERY:** One does not even need one's driving licence. Schedule 1 to the bill contains a proposed new section 4 which states:

For the purpose of this Act, the following are examples of documents that may be used to establish the identity of a person...

The bill then lists simple examples of what might be correctly used for identification when one goes to vote:

- (a) a birth certificate or a certified copy, or an extract, of a birth certificate,
- (b) a citizenship certificate or a certified copy of a citizenship certificate,
- (c) a current passport,
- (d) an expired passport, being a passport that was not cancelled and that was current within the preceding 2 years,
- (e) a marriage certificate or a certified extract of a marriage certificate,
- (f) a divorce decree,
- (g) a deed poll,
- (h) evidence of electoral enrolment issued under this Act, or under any Commonwealth Act...

The honourable member for Murray raised an important point. Although this is a bill to change New South Wales law, it should also be carried through to the Federal and local government elections. For a short time I was the chairman of the Electoral Reform Committee. Some important suggestions were made to that committee about electronic voting and voter identification and should be taken up by this Parliament. We should go into this issue thoroughly. At the last State elections there were more than 1,400 incidents of multiple voting, and the coalition lost the election by less than 200 votes.

It is important that the democracy of the State and the country is upheld, particularly bearing in mind the rorts that are going on with the boundaries. The Labor Party is reducing the number of State seats from 99 to 93. It has altered the boundaries of the electorate of Oxley and has made it so good that I am tempted to stand again. The Labor Party tried to put in its own boundaries. Although the coalition is still behind the eight ball, at least the Electoral Commissioner saw the unfairness of Labor's proposal. Unfortunately rorts continue to occur. The right to vote is the most important right people can have. Wars have been caused by improper voting, and it is vital to maintain the concept of one vote one value, not one vote two values.

When I first became a member of Parliament the then Premier, Neville Wran, used to say that the National Party rorted the system. He used to ask why we did not have one vote one value. At that time there were more than 45,000 electors in the Oxley electorate and the member for Balmain—a

Labor seat—Peter Crawford had 28,000 voters. He received 60 per cent or 70 per cent of the votes. The position was similar in many city seats. Peter Crawford had the audacity to say that Queensland was rorting the system, but the rorting was happening in New South Wales.

The honourable member for Coffs Harbour is seeking the support of this House to make the provisions in this bill the law of the land because the people of New South Wales want it. There is a strong perception that the balloting system has been rorted by people voting more than once; they go from one end of an electorate to another. The Minister would be known in his electorate, but many other people are not known and they rort the system. I strongly support the bill introduced by the honourable member for Coffs Harbour and I seek the support of all members of the House for this most important legislation.

**Mr CRITTENDEN** (Wyang) [11.14 a.m.]: This debate is out of time and place. It had its genesis in the middle of last year when the honourable member for Coffs Harbour was making a rallying call to get to the front bench. Obviously he lost, but he won a minor prize after he plunged the dagger between the shoulder blades of the honourable member for Oxley. Obviously the honourable member for Oxley has little, if any, feeling and is prepared to support the honourable member for Coffs Harbour in what can only be called a gross indulgence. I should point out that I was the assistant campaign director for the honourable member for Bathurst during the 1981 campaign.

Everything the honourable member for Bathurst said was dead right. He can thank the coalition's Leader of the Opposition at that time—I think his name was McDonald, but they changed leaders with such rapidity in those days that I could not be sure—for his comments that assisted the honourable member for Bathurst in his campaign. It is true that Clive Osborne was the rarest of National Party figures: he was a nice bloke and a decent human being. While we were scrutineering and things were looking bad for the National Party, a National Party luminary said that 96 absentee votes were coming from Parkes.

**Mr Jeffery:** The honourable member for Bathurst told the House this; you do not have to.

**Mr CRITTENDEN:** I just want to make sure the honourable member for Oxley has it straight. The honourable member for Bathurst checked with the Electoral Commissioner and with the postal

service. He then went on radio and said that if any more votes turned up, someone would go to gaol. Surprisingly, those alleged votes that the National Party luminary said were going to come from Parkes somehow never materialised. Needless to say the honourable member for Bathurst won the seat and has continued to represent that area well, except for one small hiccup in 1988.

The House has heard much about voter identification and how the Labor Party allegedly rorts the system. In the words of Shakespeare: he doth protest too much, methinks. The coalition had the golden opportunity to ensure that illegal immigration was stopped but it chose not to take it. It had the opportunity to ensure that everyone who cast a vote in Australia had to prove their identity through a national system. Of course, I am talking about the Australia card that was proposed by the Hawke Government in 1986 or 1987. True to form, members of the National Party flip-flopped on the issue, as they are wont to do on occasions. *Hansard* of the House of Representatives on 13 November 1986 reports Mr Simmons quoting what the then Deputy Leader of the National Party, the honourable member for Gwydir, Mr Ralph Hunt, said on 5 June 1985:

The proposed national identification system offered dual benefits to the Australian people . . . I will be making representations to the Government strongly supporting this . . . proposal.

Unfortunately, the national identification system never came to pass. Mr Simmons on 13 November 1986 also stated:

The very outspoken member for Richmond (Mr Blunt), [the temporary member for Richmond] in his views on the Joint Select Committee on an Australia Card, said on 8 June 1985:

The introduction of a national identification system, using ID cards, offered benefits to the Australian people, which outweighed any civil liberties considerations.

He went on:

With the Government's White Paper on tax reform recommending the introduction of ID cards, there is now broad bipartisan support for this measure. It should therefore be implemented.

As is not unusual, the National Party got rolled on that issue. The honourable member for Northcott, who is a former State director of the Liberal Party, knows all about this. His role is to sit on the National Party, to bring it into line. He has carried out his role so well that he is now a member of Parliament and exercises his control and dominance over the National Party in this place. It is regrettable that political games were played in the mid 1980s,

because the National Party could have got exactly what it wanted and set up a system that prevented any problems. The real problem is that the National Party huffs and puffs but does not want a national photo identification system. It did not want the Australia Card; it rolled over to the Liberal Party and gave up, as it is wont to do.

The National Party is playing a game. National Party members know that in small booths in remote areas—predominantly National Party areas, although the party is losing support even in the country—people are sometimes not exactly sure about what is going on in Parliament. It is a matter of great concern that the honourable member for Coffs Harbour has made no plausible suggestion. Had the Australia Card been adopted, the New South Wales taxpayer would not have been put to any expense. The honourable member for Coffs Harbour reckons that people should be able to produce their credit card as identification when they vote. I point out that a credit card is not a means of photo identification and does not meet any range of reasonable identification processes. We cannot afford to introduce a scheme that would simply clog up the voting system.

Perhaps the honourable member for Coffs Harbour thinks that every polling booth in this State should be equipped with a photocopier so that when voters come along with their credit cards, not a means of photo identification, the polling clerk could photocopy maybe two bankcards and a credit card in order that a voter may reach the required 100-point check and presumably that could be attached to an envelope to permit the casting of a vote. The honourable member knows that his suggestion is a joke. The solution to this problem is the introduction of the Australia Card. It is important to make sure that the New South Wales approach to voting is consistent with that of the Commonwealth and other States. It is ridiculous to suggest that New South Wales should have a system that does not apply elsewhere. Ridiculous ideas are stock-in-trade for coalition members. When the coalition is in government it tries to make sure that it stays in government. Honourable members know all about the ticks and crosses sort and we understand the New South Wales inconsistency with Federal legislation and the Federal voting pattern.

The coalition wanted inconsistency between New South Wales and the Commonwealth. It wanted to make sure that people who perhaps are not well educated and do not take an interest in the political system do not cast valid votes. It is a sad commentary on democracy as we head towards the twenty-first century that the Liberal Party and the

National Party in New South Wales want people to cast invalid votes. The honourable member for Coffs Harbour by way of introducing the bill brought forward a ridiculous notion that was evident throughout the republican debate last year, when the Prime Minister demonstrated his enthusiasm for a voluntary vote to the Constitutional Convention in Canberra. It is sad that the coalition is not prepared to accept the well-established Australian principle that all citizens of this country who are eligible to cast a vote are obliged to have their say.

**Mr SPEAKER:** Order! I shall now leave the chair. The House will resume at the conclusion of the joint sitting.

## LEGISLATIVE COUNCIL VACANCY

### Joint Sitting

At 11.25 a.m. the House proceeded to the Legislative Council Chamber to attend a joint sitting to elect a member to fill a seat in the Legislative Council vacated by the Hon. Elizabeth Ann Symonds, resigned.

At 11.40 a.m. the House reassembled.

## SYDNEY SHOWGROUND LEASE DOCUMENTATION

### Debate resumed from 2 April.

**Mr DEBNAM** (Vaucluse) [11.41 a.m.]: The motion seeks to condemn the failure of the Premier to surrender data to the Auditor-General relating to the showground lease. The motion also calls upon the Premier to do so forthwith. The second part of the motion obviously relates to the time at which the motion was drafted. The honourable member for Georges River in her contribution in support of her motion, which was moved in April, noted that although the report of the Auditor-General has been delivered the motion is still relevant because the failure to produce the lease documentation is a matter of great concern both to the community around the showground and to the wider community of New South Wales. The subject matter of the motion goes to the very heart of due process in the Carr Government. The honourable member for Georges River also noted that members of the public are incensed about the process that resulted in the lease of the showground. She said:

This matter will simply not be forgotten. In the lead-up to the next election in March [1999], this and other significant planning and heritage issues will be dealt with again. The people of New South Wales will not let the Government forget it.

Today will be a memorable day in the life of the Carr Government for reasons other than this motion. However, issues of the type dealt with by the motion are of concern to the community and have led to the debacle that will undoubtedly occur later today. On 19 June 1996 the Legislative Council resolved to request the Auditor-General to examine the proposal to lease and develop the Sydney showground site and to advise, having regard to the tender process, whether the terms of the proposed lease, including State Government planning instruments and State Government financial assistance, provide a fair and reasonable economic return for New South Wales taxpayers. That is fairly straightforward. The report was finally presented in December 1997 and made interesting reading.

The Auditor-General's summary would be disturbing to most people in the community. They do not have access to the report, but it has received wide coverage, particularly in the print media. I should like to make one or two points about the report. The request was simply to undertake a performance audit of the proposal to lease and develop the Sydney showground. The performance audit was undertaken in response to the resolution of the Legislative Council. The Auditor-General noted that he had particularly addressed the following issues: first, whether the processes used to provide the lease and development assistance to the beneficiary allowed the State to receive good value under the arrangements; second, the cost to the Government's accounts and the benefits expected for the State under the executed arrangements; and, third, whether findings from the audit would assist the Government in any future or similar dealings.

That is an understatement. The Government could undoubtedly have made use of these audit findings when it was elected to office in March 1995. The Government's handling of this and other major projects for which the Minister for Regional Development and others have had responsibility has been a disgrace for three years. Each of the findings in the report is relevant to the Carr Government and will become increasingly relevant during the next 11 months in the run-up to 27 March 1999. The audit report found that the process for the lease and development of the showground site was commenced on the basis that no government moneys would be provided and no theme park activities would be allowed. The report noted, however:

In the event, a State Government subsidy of between \$84.8 million and \$106.8 million in net present value terms is to be provided for the development . . .

The report noted also that the area of the showground to be leased had been extended to comprise 24.3 hectares of the 28.8 hectare site, to

allow the development of a family entertainment park in direct conflict with the objectives that were put in place when the process commenced. The Auditor-General also found that processes commenced under the former Government were intended to ensure that no party was placed above another. In the event the actual processes employed up to the time of the State election were flawed and it was difficult to select a preferred proponent or to justify dispensing with a tender process. The Auditor-General also found that because the Government truncated any competitive process by declaring its intent to negotiate with one party there could be no assurances that the arrangements finalised in the one-to-one negotiations achieved the best arrangements for the State. That is an important point for the community, regardless of the project to which it relates, and it is an important point for the Carr Government to remember.

In addition, statements made by the ultimate winner as to its need for an early decision and its unwillingness to compete in a tender for lease and development rights and knowledge that other options were available made the selection negotiating process more difficult for government officials, both before and after the State election. That demonstrates the negotiating skills of the private sector. It also demonstrates that at various times the public sector does not handle certain projects well. That is a lesson that is to be learned time and time again, regardless of the project. The negotiating skills of the private sector should be respected; clearly they are very good.

The Auditor-General also found that it is likely that the development of the film and television studio will provide a net economic benefit to the State. Further comments are made later in the report about the toing and froing between the Government, the Auditor-General and the winner of the site about the economic benefit for the State. There will undoubtedly be economic benefit to the State. The concern is simply about how the process started and whether that process was handled appropriately by the Government. Clearly it was not. The Auditor-General made a number of recommendations about how the Government can improve the way projects are handled. He pointed out:

. . . importantly, when the Government makes a policy to advantage a specific entity in the absence of competitive process, it should clearly set out the basis and reasons why the particular decision is in the State's best interest

such a justification is of particular value when, as in this case, the recipient of Government advantage or a related entity is able to confer, and has in the past conferred, benefits to Governments and political parties. This does not imply that any such benefit was conferred on this occasion.

A tremendous amount of publicity surrounded the release of the report. The report opened up another dimension to this debate, a dimension that has also emerged in relation to other projects about which the Government has received constructive criticism. I emphasise that I am talking about constructive criticism of the way the Government handles due process. Whether it is the showground project or the Villawood housing estate the State Labor Government inevitably responds with a straightforward personal attack on the referee. On 9 December 1997 the *Daily Telegraph* quoted the response of the Premier to the release of the report, which was a personal attack on the Auditor-General. The article stated:

Mr Carr said the public sector watchdog had politicised his own position.

"That is the Auditor-General indulging himself . . . ", Mr Carr said.

What happened is straightforward: it is simply gutter Labor politics. The Minister for Housing made a totally unwarranted personal attack on the Auditor-General in relation to the Villawood housing estate. That was another attack on the referee. The editorial in the *Sydney Morning Herald* on 9 December 1997 stated:

It is Mr Harris's careful review of the history of the decision to lease the Showground to Fox that matters. He found the process, begun on the basis that no government money would be provided, no theme park activities would be allowed and no one party would be placed above another, was flawed, and the resulting deal was not necessarily the best for the State. This is a strong conclusion and disturbing enough.

[Debate interrupted.]

## LEGISLATIVE COUNCIL VACANCY

### Joint Sitting

**Mr ACTING-SPEAKER (Mr Gaudry):** I report that the House met with the Legislative Council in the Legislative Council Chamber to elect a person to fill the seat in the Legislative Council vacated by the Hon. Elizabeth Ann Symonds and that Carmel Mary Tebbutt has been elected.

## SYDNEY SHOWGROUND LEASE DOCUMENTATION

[Debate resumed.]

**Mr WOODS** (Clarence—Minister for Regional Development, and Minister for Rural Affairs) [11.51 a.m.]: The Fox studio project is Australia's most modern film and television

production complex; it is a major investment win for New South Wales. The sound stage component was completed in March this year and two major films, the sequel to *Babe* and *The Matrix*, are presently under production. During production the sequel to *Babe* will employ about 300 people and *The Matrix* will employ about 375 people. The most conservative analysis of the showground estimates the State's economic gain from the project at a net present value of \$382 million, or a \$2.5 billion gross over the 40-year lease of the site. An additional gain will be the creation of 1,900 new jobs.

Fox will spend more than \$150 million on the complex, which will be officially opened on 2 May 1998. The Government was elected in 1995 with a mandate from the people of New South Wales to negotiate directly with Fox to develop the showground site as a world-class film studio. The Fox investment was a genuine footloose international investment which could have been located outside New South Wales. Direct negotiation was a viable alternative to a formal tender process. In fact, that approach was announced by the Leader of the Opposition in a press release dated 3 March 1995. He said:

A Probity Auditor has acted throughout the evaluation phase and has advised that as an alternative to going to tender, the process of evaluation may be suspended at this stage and one-on-one discussions undertaken.

The Auditor-General's Performance Audit Report entitled "Sydney Showground, Moore Park—Lease to Fox Studios Australia" was released late last year. The Government provided the Auditor-General with the documentation related to the Fox studio that he required to prepare his report. The Audit Office found that the actual processes employed by the Fahey Government up to the State Election in March 1995 were so flawed as not to be relied upon to select a preferred proponent or to justify dispensing with a tender process. That finding appears at page 2 of the report.

The terms of reference of the audit called for, among other things, an assessment of whether the project provides a fair and reasonable economic return for New South Wales taxpayers. It has always been the Government's intention to find the best use for the showground and to use it to create jobs and long-term economic and cultural benefits. The Government has secured a world-class film studio, instead of selling the site to property developers as the Greiner Government wanted to do. The Audit Office Report acknowledges that it is likely the development of the film and television studio on the Showground site will provide a net economic benefit to the State.

**Ms MOORE** (Bligh) [11.56 a.m.]: I support the motion. The Auditor-General undertook a review of the showground decision in response to a parliamentary reference requesting an assessment of the Government's financial arrangements with Fox studio in relation to the showground. The Auditor-General's report revealed that the much touted probity auditor had only limited involvement and could not vouch for the whole process. The Auditor-General said that he was refused access to documentation which would have aided the evaluation of the efficiency, effectiveness and economy of proposed arrangements to lease the Sydney showground and to assess the Government's compliance with probity in the process relating to the proposed lease. The Auditor-General reported that a senior Treasury officer who was involved in the showground project shredded working files before they could be made available to the Auditor-General.

The report vindicates what I have been saying inside and outside this House for years: that a massive subsidy of public money, \$109 million, and 24.3 hectares of public land have gone to a private company for private profit after the Government made a commitment that no public money would be paid. A theme park, which takes up 60 per cent of the site, is being constructed after the Government made a commitment that a theme park would not be allowed. A total of 16 Hoyts cinema screens, plus retail outlets, performance areas, family tour sections and car parking have been squeezed into eight development applications for the Fox site. The original master plan has been rendered unrecognisable.

The Government facilitated and promoted the demands of a private company over the rights of the community. Those extraordinary demands included the suspension of the tender process, the stopping of the regional environmental plan for the Moore Park area, the requirement of a peppercorn lease for a minimum of 40 years, and exclusive possession after the 1997 Royal Easter Show. The Government allowed the inclusion of a themed public attraction and an unfettered production environment. The Fox studios obtained a substantial financial windfall from taxpayers and deprived the people of Sydney of unfettered access to public land and a chance to develop the site as a major recreational area for Sydney.

Local resident and area planning concerns were dumped by the State Government. The regional environmental plan initiated to benefit the whole Moore Park area and environs was stopped. The Government made itself the sole approval authority

for the showground site and, despite the size of the project, no significant compensating area contributions or services were requested—not even a contribution to light rail. The people of this State, particularly Sydney, know only too well that public assets are vulnerable to corporate demands. Yet the Government chose to allow private commercial interests to override the interests of residents and the community.

The report failed to show that part of the taxpayer subsidy will go towards the entertainment complex, 60 per cent of the site, which has nothing to do with film making. It has nothing to do with the sequel to *Babe* or *The Matrix* and everything to do with private profit for a private company. Another omission from the report is the estimate of the relative return for Government and Fox investments in the project, which my office calculates is massively weighted in favour of Fox. It is an indictment of the Government that the financial details of a proposal involving 24 hectares of land the public has fought for and over \$100 million of public money have not been officially tabled and remain the subject of press release and speculation.

The report confirms the serious doubts about whose best interests the Government is serving, and it is an indictment of government process, probity, and financial and public accountability. It reeks of government and political manipulation. The Government must surrender all documents relating to the showground lease. It must explain why the normal tender processes were suspended, why an advantage was given to Fox studios and why this deal was in the State's best interests. A new master plan and controls for the Fox site, assessed in context with other proposals and activities in the area, are needed.

An independent environmental assessment of the final proposals for the site must be undertaken. An area traffic study addressing the Fox proposals, Eastern Distributor traffic, traffic from sporting stadia, the Hordern Pavilion and the Royal Hall of Industries, and proposed local road changes must be carried out. A ban must be imposed on car parking on Moore Park and development applications from the Fox entertainment complex and the sporting stadia. Public transport options must be optimised, and the option of light rail to Moore Park must be seriously assessed. Notwithstanding the Carr Government's deal, that is the only way that we will see a true vision for the whole of the Moore Park area which maximises recreational parkland opportunities, sets development parameters and addresses traffic, transport and parking issues. The Carr Government has failed abysmally to address any of those issues.

**Mr KINROSS** (Gordon) [12.01 p.m.]: I strongly support the motion moved by the honourable member for Georges River. I support also the comments of the honourable member for Bligh and, indeed, the passion with which she put these matters. In debate on a matter of public importance in the House in June 1996 the Leader of the Opposition expressed grave concern about the Labor Government, which had told the taxpayers of New South Wales that jobs were at stake, offering Rupert Murdoch a \$0.5 million exemption from stamp duty, as certified by the Auditor-General in his report, together with other discounts of \$18.1 million for rent. It is hypocritical for the Labor Party, which espouses that its philosophy is for the working man, to give a multibillionaire these exemptions and discounts. It also adds credibility to the claim that this Labor Government has taken lying to the extreme.

This is not the first time the Labor Government has played with taxpayers funds. This Labor Government is crook to the core. It does sweetheart deals. Graham Richardson's statement, "whatever it takes", which means that lying is common practice, applies to this Labor Government. After the events of this morning the Government still claims that one of its Ministers is fit to remain in the House. The Government believes that lying is a necessary part of Labor Party pre-selection. This is not the first time that the New South Wales Labor Party has been shown for what it is. As I said in the House last night, people are champing at the bit for the opportunity to express their opinion at the ballot box next March, if not earlier because of a constitutional crisis.

There ought be a constitutional crisis, not merely because the Government is not entitled to the number of members that it has in this Parliament because of the lies it has told, but also because of its extreme hypocrisy. The Leader of the Opposition has shown time and again that the Government has broken 430 promises. The Government has taken lying to a new low. I thought Graham Richardson set the world benchmark for lying but this Government has set it even higher. I turn now to this important motion. The 180-page report tabled on 8 December 1997 clearly shows that all the information about this complex deal is still not available. An article in the *Sydney Morning Herald* referred to Paul Keating and the formulation of his so-called wonderful plans. Labor knows that it will not get a better traitor to the cause because Paul Keating did not live in his electorate of Blaxland; he lived in St Kevin's, in Queen Street, Woolahra, in the electorate of Bligh, many miles from his electorate. The article stated:

As well, the probity auditor appointed by the Government to oversee the Showground process advised the Audit Office that "he does not consider that he conducted a probity audit of the Expressions of Interest process, bearing in mind the limited scope of work performed and the duration of involvement".

That came about because either the Government failed to provide all the documents or documents were destroyed. What does the destruction of documents say about integrity? This morning Barry O'Keefe issued a report in which he referred to the integrity, openness and honesty of parliamentarians and the faith and trust of the office that is bestowed on them. That parliamentarians must better understand these principles is shown at page 79 of the report, which states:

It cannot be doubted that a Member of Parliament holds a public office. The Parliament exists . . . for the sake of public government; and every Member elected by the people undertakes, and has imposed upon him, a public duty and a public trust.

The Government and the majority of Labor members have neither public duty nor public trust. The community has been denied all the information about the deal. As the Leader of the Opposition said two years ago in debate on a motion, this is another example of the Government betraying the people, the working man. The Maritime Union of Australia has accused the Commonwealth Government of a conspiracy. What about the conspiracy between this Government and the former Prime Minister, Paul Keating, in relation to the deal offered to Rupert Murdoch?

**Ms FICARRA** (Georges River) [12.06 p.m.]: I thank the honourable member for Vacluse, the honourable member for Bligh and the honourable member for Gordon for their contributions. I can assure the Government that the people of New South Wales have not forgotten about this matter. The Minister for Regional Development was sent into the Chamber to be the bunny, to take all the kudos for this great economic benefit. An economic benefit would have resulted if Fox studios and all the associated entertainment trappings had been located in any part of Sydney. Locating the studios and so on at Homebush would have been preferable and would have been of value to the people of New South Wales for years to come. The Auditor-General released a scathing report—and rightly so—condemning the actions of the Premier and the Minister for Urban Affairs and Planning in handling the process. There was no due process. It is the typical Australian Labor Party style of rorting—and rorting with public lands—in our great State.



The showground site belongs to the people of New South Wales. The issue of the Carr Government's handling of the showground lease continues to be a festering sore in this State. Residents in the showground area and, indeed, residents throughout New South Wales and environmentalists will continue to be outraged because this Government has signed away 27 hectares of significant heritage-related public land to an overseas company, Rupert Murdoch's Fox studios, for 50 years. The deal was done behind closed doors, with no community consultation and no details given to the public. Specifically, the Premier's failure to surrender to the Auditor-General all documents relating to the lease and the contempt shown for accepted ethical planning processes involving public consultation and participation—hence, this motion of condemnation has not been moved lightheartedly—are an indication of the level of public outrage over the sale of our nation's heritage.

Fox has a lease-free period until 1999, after which it will pay \$2.5 million a year. That equates to the kind of rental being paid for two floors of the Sydney Morning Herald building in Darling Park. The 1911 Act gave the Royal Agricultural Society the land on condition that when it vacated the site the land would be returned to the people of New South Wales. The Government has allowed a multinational corporation, Murdoch's Fox studios entertainment, to take over 24 of 27 hectares of public land. The direct and indirect cost to the taxpayers of establishing Fox at the showground for its commercial gain is more than \$75 million. The Government has leased to Fox 24 hectares of prime real estate for a pittance of \$2.5 million per annum with a 50-year lease. More importantly, by 2003 the studio area will be rent free and Fox will be able to charge Australian filmmakers for using the site. What a joke!

The Minister for Urban Affairs and Planning, and Minister for Housing not only rezoned the land for the benefit of Fox studios, but determined not to consult with the public. Officers of his department and other departments met constantly with Fox to push the plans through before community legal action might have taken effect. The Carr Government has destroyed the public's legitimate expectation of fairness and justice, and has treated the sovereignty, democracy and role of this Parliament with disdain. This day will be remembered for the Minister for Fair Trading, and Minister for Emergency Services and this Government going down, and 27 March 1999 will

roll around quickly. All Government Ministers driving around in their limousines had better start looking for another job.

The will of Parliament and the will of the people of this city and State were deviously circumvented by State environmental planning policy 47, which rezoned the showground without public consultation. The commissioner, the Minister for Urban Affairs and Planning and the Premier failed to comply with Department of Urban Affairs and Planning guidelines for other consent authorities. What hypocrisy and what reckless expediency! After the year 2003 Fox will have to pay rent reviews for the entertainment precinct of the site, but rent reviews will not be forthcoming on the studio portion of the site, even though Fox will regularly review charges to Australian filmmakers. The Government has displayed glaring misuse of executive power. The coalition will divide on the motion. The people of New South Wales will exact retribution and justice on this showground issue and for the myriad portfolio mismanagements that have been inflicted upon us all. Everyone awaits 27 March 1999 for that retribution.

**Question—That the motion be agreed to—put.**

**The House divided.**

**Ayes, 44**

Mr Beck	Mr O'Farrell
Mr Blackmore	Mr D. L. Page
Mr Brogden	Mr Peacocke
Mr Chappell	Mr Phillips
Mrs Chikarovski	Mr Photios
Mr Cochran	Mr Richardson
Mr Collins	Mr Rixon
Mr Cruickshank	Mr Rozzoli
Mr Debnam	Mr Schipp
Mr Ellis	Ms Seaton
Ms Ficarra	Mrs Skinner
Mr Hartcher	Mr Slack-Smith
Mr Hazzard	Mr Small
Mr Humpherson	Mr Smith
Mr Jeffery	Mr Souris
Dr Kernohan	Mr Tink
Mr Kinross	Mr J. H. Turner
Mr MacCarthy	Mr R. W. Turner
Dr Macdonald	Mr Windsor
Mr Merton	
Ms Moore	<i>Tellers,</i>
Mr Oakeshott	Mr Fraser
Mr O'Doherty	Mr Kerr

**Noes, 44**

Ms Allan	Mr McManus
Mr Amery	Mr Markham
Mr Anderson	Mr Martin
Ms Andrews	Ms Meagher
Mr Aquilina	Mr Mills
Mrs Beamer	Mr Moss
Mr Carr	Mr Neilly
Mr Clough	Mr Price
Mr Crittenden	Dr Refshauge
Mr Debus	Mr Rumble
Mr Face	Mr Scully
Mr Gaudry	Mr Shedden
Mrs Grusovin	Mr Stewart
Ms Hall	Mr Sullivan
Mr Harrison	Mr Tripodi
Ms Harrison	Mr Watkins
Mr Hunter	Mr Whelan
Mr Iemma	Mr Woods
Mr Knowles	Mr Yeadon
Mr Langton	
Mrs Lo Po'	<i>Tellers,</i>
Mr Lynch	Mr Beckroge
Mr McBride	Mr Thompson

**Pairs**

Mr Armstrong	Mr Gibson
Mr Glachan	Mr Knight
Mr Schultz	Ms Nori
Mrs Stone	Mr Rogan

**Mr SPEAKER:** The vote being equal, I give my casting vote in the negative and declare the question to be resolved in the negative.

**Motion negatived.****LEGISLATIVE COUNCIL VACANCY****Joint Sitting**

**Mr SPEAKER:** I lay upon the table the minutes of the proceedings of the joint sitting of both Houses to choose a person to fill the vacancy in the Legislative Council caused by the resignation of the Hon. Elizabeth Ann Symonds.

**Ordered to be printed.****BUSINESS OF THE HOUSE****Suspension of Standing and Sessional Orders**

**Mr WHELAN** (Ashfield—Minister for Police) [12.22 p.m.]: I move:

That standing and sessional orders be suspended to permit the consideration of Government business, viz., the moving of a motion relating to the report of the Independent Commission Against Corruption Investigation entitled "Parliamentary and Electorate Travel: First Report".

**Mr HARTCHER** (Gosford) [12.22 p.m.]: I indicate that the Opposition does not oppose the suspension of standing orders for this purpose. The Opposition anticipates that the House will be fully informed about this grievous matter and that it will be properly debated. The Opposition is not interested in having a truncated debate. We believe this matter is extremely serious and, once the preliminaries have been dealt with—and they will be dealt with now—it should be adjourned to another day for debate. When debate takes place we expect the Premier of this State to answer the very real questions that are raised in the report. The Opposition will not divide the House and will not oppose the motion: it awaits with anticipation what the Government has to say in its response. It is the response of the Government that the Opposition is awaiting, because the ICAC commissioner has raised very real questions which only the Premier can answer and the people of New South Wales await the Premier's response.

**Motion agreed to.****INDEPENDENT COMMISSION AGAINST CORRUPTION****Investigation into Parliamentary and Electorate Travel: First Report**

**Mr WHELAN** (Ashfield—Minister for Police) [12.25 p.m.]: I move:

That this House:

- (1) note the report of the Independent Commission Against Corruption's investigation into parliamentary and electorate travel;
- (2) note the opinion of the Commissioner of the Independent Commission Against Corruption "that consideration should be given by the Legislative Assembly to the taking of action against Mr Langton in respect of his membership of the Legislative Assembly";
- (3) note that the question of whether or not to charge Mr Langton and the question of what charges would be appropriate is one for the Director of Public Prosecutions;
- (4) note that Mr Langton has resigned his position as a Minister of the Crown but has emphatically asserted his innocence;
- (5) affirm its right to consider each case according to its particular facts and merits;

- (6) in all the circumstances take no action at this stage in respect of Mr Langton's membership of the Legislative Assembly;
- (7) note that the report makes no adverse finding against, or recommendations in respect of, the other members who were affected persons within the meaning of the Act;
- (8) note that the Government intends to address the matters raised in the report by:
  - (a) introducing legislation to expand the role of the Parliamentary Remuneration Tribunal by giving it jurisdiction to make determinations on the full range of members' entitlements (subject to budgetary constraints), and the role of setting down clear rules as to the use of these entitlements;
  - (b) requiring the Premier's Department and the Cabinet Office to review the present system for the administration of parliamentary entitlements and provide advice and assistance to the parliamentary departments on making their procedures for administering members' entitlements more transparent and accountable; and
  - (c) giving further consideration to the establishment of the position of a part-time parliamentary ethics adviser, who would give advice on ethical standards when asked by members of Parliament;
- (9) note that the Standing Ethics Committee is reporting today on the appropriate ethical standards to include in a draft code of conduct for members of the Legislative Assembly.

The commissioner's opinion is that consideration should be given by the Legislative Assembly to the taking of action against Mr Langton in respect of his membership of the Legislative Assembly. The Legislative Assembly has power to expel as a defensive measure to protect itself: not for reasons of punishment. The commissioner also finds that if the allegations set out in the ICAC Report are proved in a court of law Mr Langton may be guilty of a criminal offence. The commissioner has recommended that consideration be given to the prosecution of Mr Langton. In the past members of Parliament accused of or charged with offences have continued to sit as members of the Legislative Assembly while matters were being determined by the courts—for example, Dr Metherell, Mr Smiles, Mr Packard and Mr Morris. The view was taken by the Government at the relevant time that the presumption of innocence should prevail and that unless and until persons concerned were found guilty, the House should be reticent to take peremptory action to expel the member. Obviously this view was shared by the Commonwealth Government and Commonwealth Parliament in respect of the recent travel rorts affair, where

Ministers resigned from the ministry but were not removed as members of Parliament.

**Mr Photios:** This man is corrupt.

**Mr SPEAKER:** Order! I place the honourable member for Ermington on three calls to order.

**Mr WHELAN:** The Constitution itself provides that if a member is convicted of an infamous crime the seat of the member is automatically vacated. The Commissioner of the Independent Commission Against Corruption is of the opinion that the facts, if proved in a court of law, would constitute a crime involving dishonesty and may constitute an infamous crime. However, it is ultimately a matter for the Director of Public Prosecutions and the courts to decide what, if any, offence should be charged and whether Mr Langton is guilty. Mr Langton has emphatically protested his innocence.

The Legislative Assembly should not take action at this stage to expel Mr Langton. Mr Langton emphatically protested his innocence. The gravamen of the allegations would render expulsion a punishment out of all proportion to what the Minister is alleged to have done. In any event, punishment is not a matter for this House and expulsion can be exercised only as a defensive measure. The most recent precedent of the travel rorts affair in Canberra is indicative of the correct attitude for this House to take, namely, that the question of criminality should be left to the Director of Public Prosecutions and the courts, and the Minister should do what he has done, and that is to resign his position as a Minister of the Crown.

**Mr HARTCHER** (Gosford) [12.30 p.m.]: It is important that the House hears what the member for Kogarah has to say. It is also important that the House hears what the Premier has to say so that the House can judge the position of the Government.

**Mr Whelan:** You just got the Government's position.

**Mr HARTCHER:** Honourable members have heard the police Minister's position, and they have a motion before them. This matter is a recommendation to the Parliament, and the Premier is the Leader of the Government.

**Mr Whelan:** I am the Leader of government business.

**Mr HARTCHER:** The honourable member may have issued a closure order signed "Paul

Whelan, Premier." Last night all honourable members received a closure order signed "Paul Whelan, Premier of New South Wales." Now the honourable member says he is the Leader of the Government. Let us not trivialise. Members on this side want to hear what the Premier has to say. They are entitled to hear that and the people of New South Wales are entitled to hear that. If the Minister is only prepared at this stage to indicate that is the Government's position, the Opposition believes the matter should be adjourned so that the Premier can come here and tell the people of New South Wales what the Carr Labor Government is doing. Why should the Opposition have to state its position when the Premier is not prepared to state his? The Premier does not have the guts to come here. The Premier has put up the Minister for Police and the member for Kogarah but he is not prepared to put himself up and say to the people of New South Wales, "This is what I propose to do on the ICAC report."

The Leader of the Opposition will reply to the Premier and the member for Kogarah, but the Leader of the Opposition does not come here simply to answer a trivial motion moved by the Minister for Police, who is claiming to be the next Premier of the State. If the Minister wants to be the Leader of the Government in the House and sign closure orders as Premier, that is one thing, but the Premier is accountable and the Opposition calls upon the Premier to be accountable. When he has stated what his Government is prepared to do the Opposition will state clearly its position on this matter. It is up to the Premier to show leadership and it is up to the member for Kogarah not simply to try to use this device, this motion, as an attack on ICAC and attempt under parliamentary privilege to clear his name. He had opportunities before ICAC in private hearings and in public hearings to put his side of the case. Honourable members are not interested in simply hearing his side of the case now, because that has all been put and exhaustively analysed by an independent arbitrator—the ICAC.

The Parliament needs to act on the report. It has a report and it wants to see what the action of the Government is upon it. This House is not a court of appeal for the member for Kogarah to throw himself on its mercy and say, "I was not given a proper hearing, everyone else has done this in the past and it is not really a serious matter. I should not be judged guilty of contempt and this should not be judged as conduct unworthy of a member of Parliament." If that is all it is, the Government is turning these proceedings into a farce, simply as a device for the member for Kogarah to use parliamentary privilege to attack the ICAC and put his own special plea before Parliament. The

Opposition rejects that entirely. The Opposition is asking the Government to give the Parliament—not us, the Parliament—and the people of New South Wales a full opportunity to debate this very important report.

**Mr Whelan:** We have already talked about it.

**Mr HARTCHER:** No, we have not, because the House has not heard from the Premier. Let the Premier state the Government's position. Where is he? One of his Ministers resigned an hour ago. Less than 1½ hours ago that man was the Minister for Fair Trading, responsible for honesty and integrity, responsible for truth and ensuring that consumers were well treated. Now he sits here as the member for Kogarah and the Premier is not prepared to say a word about it. Where is his press conference, where is his ministerial statement, where is his contribution to this debate? The Premier is hiding from the people of New South Wales. If the Premier comes into the Chamber, he can state his position and the position of his Government.

That is what the people of New South Wales want to know. They do not want to hear from the Leader of the Government in the House. They do not want to hear from Brian Langton. They have heard from him over the past three months. It has all been recorded and it is there in the ICAC report. If anyone wants to read it, it is there. That is the judgment on the member for Kogarah, and he comes along here and says, "I now want to address the House on this motion", but honourable members have not heard the Government's response.

**Mr Whelan:** Are you going to deny debate?

**Mr HARTCHER:** No, we are not. The Opposition wants to hear the member for Kogarah but it also wants to hear the Minister for Police say what the Premier is going to do. Every time an ICAC report came down into the Greiner or Fahey governments the Premier had the courage to face the House and be accountable. This Premier does not have the courage to do so.

**Mr LANGTON:** (Kogarah) [12.36 p.m.]: I am pleased to have the opportunity to address the House, and I thank the Minister for bringing on this matter. I maintain that I am innocent of any corrupt conduct. My legal advice is that the report of ICAC is fundamentally flawed, and I will continue to pursue my rights in that regard, just as Nick Greiner did.

**Mr Kinross:** You couldn't believe in yourself.

**Mr SPEAKER:** Order! The honourable member for Gordon will remain silent.

**Mr LANGTON:** The matter is before the Supreme Court next Thursday. I believe the criticism by ICAC that the work I undertook was political and not parliamentary is an invalid distinction. Once again, I would like to place on the record that every flight I took was for travel as a shadow minister. Every trip was work related. Every trip was within New South Wales.

**Mr Kinross:** That is not the issue. You lied.

**Mr SPEAKER:** Order! I place the honourable member for Gordon on three calls to order. He will have an opportunity to speak at the appropriate time. If every honourable member acted in the same way as the member for Gordon, the House would be a shambles.

**Mr LANGTON:** The total value of those trips was about \$6,000. I reiterate that I did not receive any cash benefit, unlike those who were involved in the so-called travel rorts affair in Canberra. There is a long-term practice of shadow ministers pooling warrants—particularly those on the other side. I leave it to the public, to the people of New South Wales, to judge whether what has happened here has justified the expenditure of in excess of half a million dollars by ICAC. However, I am the first to accept the realities of political life. I have given 27 years of my life to public service in local government and in State Parliament. In every position and on every occasion I believe I have put my heart and soul into doing the best possible job.

I have worked very hard for that. My family has paid a price. As I said earlier today, politics is not an easy profession, but I never expected it would become quite this difficult. But I have received overwhelming support over the past few weeks from past and present parliamentary colleagues from both sides of politics, from constituents and from the people I have worked with. I put on record my own and my family's appreciation for that support, which has provided us with enormous strength.

Although today I resign from the ministry, I am grateful and will always be grateful and appreciate the fact that I had the privilege and the opportunity to serve as a Minister in the Carr Government. I am also particularly proud of the achievements of the past couple of years, such as the increased patronage on public transport, the progress made on accessible transport for people with disabilities and, of course, the increased funding and support for regional tourism. In my

recent portfolios I was privileged to meet outstanding individuals dedicated to the protection of life and property. I have also had the privilege of working with some of the best public servants in the country. I believe that I have tried to make a difference. I have tried to improve things, particularly on behalf of people whose voices are not powerful. I sincerely hope that the people of New South Wales, and particularly the constituents of my electorate of Kogarah, will accept that I have always tried to put public interest and public service first.

**Mr COLLINS** (Willoughby—Leader of the Opposition) [12.41 p.m.]: In recent weeks the Premier has made several statements: "We propose to wait until after the ICAC inquiry", Bob Carr on 31 March this year. "There should be no discussion of these matters while ICAC hearings take place", Bob Carr, appropriately on 1 April this year. "Neither side of politics should be making comments on the ICAC and its inquiries until all the evidence is in", Bob Carr on 2 April this year. "The matter is currently before the Independent Commission Against Corruption", Bob Carr on 7 April 1988. I remind the House of another quotation, "We now have this report, we now have the facts, we now have the findings. Now is the time for judgment." Who said that? It was Bob Carr, standing in this spot, on this side of the Chamber, on 24 June 1992.

Today is judgment day, not just for the member for Kogarah but for Bob Carr, the Premier of New South Wales. And where is he today? The Premier ran out of this Chamber as fast as he could. He skulked and is hiding from this parliamentary process. He is trying to muddy the waters through this motion, introduced by the Minister for Police, who has himself skulked out of the Chamber, run from this place, run from this debate, trying to hide from the facts. The sad thing for this State is that the Labor Party has no sense of shame. The right-wing mob that runs the Labor Party from Sussex Street does not know when to call it a day. It does not know when to plead guilty and accept the consequences. These things are alien to the Labor Party.

In the member for Kogarah we have someone who ignores one of the most extensive inquiries undertaken by the Independent Commission Against Corruption since it was established and one whose finding is absolutely indisputable. If ever there was a finding from ICAC with crystal clarity, this is the finding. I do not propose, and I hope that crossbenchers would not entertain, to have a debate on some of the wide, red-herring issues that have been signalled today. There will be other days and

other times, soon, when members can examine issues such as how travel warrants and travel allowances might better be handled in this Parliament. That can certainly wait for another day. What will not wait for another day is what happens with the member for Kogarah.

The time has long gone when the member for Kogarah should have resigned as a Minister. Today he has announced his resignation. He should have announced his resignation the day he admitted that he had lied repeatedly in the inquiry. When he admitted that he had lied no fewer than five times he had, in the view of the Opposition, an obligation to tender his resignation from the ministry. Why? It is because the people of this State are entitled to believe that Ministers of the Crown in this State tell the truth to official inquiries. That is when he should have acted, when he made that admission. He is the only Minister, the only member of Parliament, in the history of this Parliament and in the 10-year history of the Independent Commission Against Corruption to have made such an admission.

That is why the Opposition has repeatedly called for him to resign and, in the absence of that action from the member for Kogarah, has called on the Premier to expel him as a Minister and show leadership to this State and to this Parliament—in other words, set a standard by which his Government can be judged. What action have we had from the Premier? There has been precisely no action, precisely no response, and today, in this debate, there has been no show. I challenge the Premier of this State, Bob Carr, to explain his inertia and his paralysis to the House and to the people of New South Wales. Why is it that this Premier, given his categorically clear words of 1992, now walks in the opposite direction? There is a reason for that.

The Premier fears that if the member for Kogarah is forced to resign his seat the seat will be lost in a subsequent by-election. That is why the Premier is not prepared to apply any standard, any benchmark, for his ministry. That is why we have had the shameless display of numbers and political power—arrogance at its worst—in this Chamber today, with the Labor Government leaving only a night watchman on duty, the Minister for Regional Development, and Minister for Rural Affairs. That speaks volumes. If the Labor Government treated this motion half seriously, if it really believed that these issues should be seriously debated and considered by the Parliament now, its members would be in the Chamber listening to this debate. But Government members have fled this Chamber because this debate embarrasses them, it embarrasses them monumentally.

But greater embarrassment is to come. Why is the House debating this issue? It is debating this issue because this morning the Independent Commission Against Corruption released its report entitled "Investigation into Parliamentary and Electorate Travel: First Report". What does the report find? These findings need to be placed on the parliamentary record very specifically. I shall now quote excerpts from the findings of the commissioner, to go on the parliamentary record for all time as an indictment not only of the conduct of the member for Kogarah but of the conduct of the Premier in failing to participate in this debate. At page 85 of the report it is recommended that:

... consideration should be given to the prosecution of Mr Brian Langton MP for breaches of s. 178BA and/or 178BB of the Crimes Act, and for the common law offence of breach of public trust.

In addition, at page 86 it is recommended that:

... consideration should be given by the Legislative Assembly to the taking of action against Mr Langton in respect of his membership of the Legislative Assembly.

That is the crucial issue which the Parliament needs to resolve. I challenge the Premier to have the courage to bite the bullet, to make the determination and to move for the expulsion of the member for Kogarah from this Parliament. I do so on behalf of each and every member of this Parliament, including those who have fled the Chamber. Why do I do so? I do so for these reasons. On page 83 the Commissioner found:

The conduct of Mr Langton set out in the findings of Chapters 5, 6, 7 and 8 above would, if proved, fall within the provisions of s. 178BA of the Crimes Act. There is a deception by Mr Langton, namely the deliberate telling of lies ...

The findings further state on page 83:

The findings of fact which have been made in respect of Mr Langton would, if proved, also constitute or involve a breach of public trust on his part.

On page 83 the report also states:

As a result of the deception he obtained, dishonestly, a credit or time to pay for the charter flights in question which he would not otherwise have obtained.

The report continues on page 83:

By falsely claiming that nominated Members of Parliament had travelled with him on various charter flights when they, to his knowledge, had not, he was abusing his official position, misusing his office as a Member of Parliament and did so with the dishonest motive of obtaining a financial advantage beyond that to which he was entitled by virtue of the honest performance of his public office.

The report continues on page 84:

He did so knowingly, deliberately, wilfully, repeatedly and in circumstances of bad faith with the motive and intent of obtaining an advantage. In my opinion, such conduct is not trivial, to the contrary, it is serious, of significant gravity in the circumstances and with the intent and motive which I have found to exist, his conduct falls within the common law concept of breach of public trust.

On page 84 the findings continue:

Mr Langton's conduct involved dishonesty. It involved untruthfulness. The dishonesty and untruthfulness were related to the functioning of the Parliament, in that he repeatedly told lies to the Parliamentary Accounts Department.

The report states on page 85:

For the foregoing reasons I am of the opinion that when the findings of fact made in respect of Mr Langton are married to the statutory provisions and common law referred to above, Mr Langton's conduct can properly be characterised as corrupt conduct within the meaning of the Act, and on a number of bases as indicated. I so find, namely, that the Hon Brian Langton MP engaged in corrupt conduct in the respects detailed in this Report.

Finally, on page 83 the report states:

Furthermore, his lack of credibility and lack of candour on oath, when combined with the foregoing matters, is redolent of the factual situation in *Armstrong v Budd* . . . In my opinion, it could give rise to a situation in which the House could expel him.

What is Bob Carr doing about Brian Langton? Brian Langton has gone from the ministry: he should have gone several weeks ago. Every citizen of this State knows he should have gone several weeks ago. When the Minister admitted lying repeatedly he should have gone, and when he refused to go the Premier should have sacked him. That is already a thing of the past. Today's resignation in no way exculpates the member for Kogarah. What the commissioner said in his report damns the member for Kogarah on what we know already. Whether charges are laid is another matter for another day. On what we know already there is a finding of corrupt conduct by this member of Parliament, the member for Kogarah.

It was the Premier as Opposition leader who then said, "We have the report; we have the facts; we have the findings. Now is the time for judgment." Indeed, it was the now Premier, when standing in this spot on 24 June 1992, who said that an ICAC report is a matter for the Parliament, not the courts. What do we see? We see the police Minister trying to say, "It would be grossly premature to determine these matters today: there is still court action to be fought out." That is not what

his leader, the now Premier of New South Wales, said in 1992. How is it that Labor, as always, has one standard for when it is in opposition but it never applies that standard to itself when it is in government?

If ever there was a case of black and white this is it: one standard when in opposition and the opposite standard when in government. I say for the future record: a Minister who has admitted lying on the public record in an official inquiry obviously cannot continue in office. All of us know that. The people of this State demand that. That is the bare minimum standard. What the member for Kogarah has done today is not the end of it: it is just the beginning.

If the Premier had a shred of decency, if he believed in anything, if he had any memory, if he understood the gravity of this issue for the people of this State, if he wanted to rebuild the integrity of his party and if he wanted to enhance the reputation of this Parliament, the member for Kogarah would be expelled on the motion of the Premier. The Opposition calls on the Premier today to put aside this diversion. There is time to talk about travel allowances on another day soon and to make whatever changes the commissioner might like to suggest. That debate is for another day.

The debate for today is about the continuation of the member for Kogarah as a member of the Parliament. We ask the Premier today to reach a conclusion and to introduce a motion into this Parliament to expel the member for Kogarah for the precise reasons the Premier gave in this Parliament on 24 June 1992. The Opposition simply asks the Premier to stand by the commitment that he gave the people of New South Wales when he was Opposition leader, when the tables were turned. It is not a big ask.

I signal that if the Premier is not prepared to deal with the member for Kogarah, and if the member for Kogarah himself does not have the decency to resign from the Parliament forthwith, the Opposition will introduce an expulsion motion next week in the Parliament. I would hope that the Opposition will do so with the support of the crossbenchers, because standards have to be set and maintained. The Labor Party has to understand that standards are not merely to be changed when convenient, or discarded, as the member for Kogarah said on a couple of occasions, when it is expedient to do so. Standards are there to be maintained—and sometimes in very difficult circumstances and at high personal cost. That is the call the Opposition makes of the member for Kogarah today.

The Opposition calls on the member for Kogarah to resign immediately, and says to the Premier that if the member for Kogarah will not resign as the member for Kogarah then the Premier has an obligation to the people of this State to move his expulsion from this Parliament. I hope that before this debate is concluded the Premier will account to the people of New South Wales as to why he has not already acted, and that he will participate in this debate and place his views on the record. If he wants to explain to the people of New South Wales why he has done a complete backflip on his policy of six years ago, let him explain; if not, he is damned by his own words in 1992, his inaction, his spinelessness in this trial that he faces as Premier. Today the issue is not simply the future of Brian Langton as member for Kogarah: the issue is Bob Carr as Premier of New South Wales.

**Dr MACDONALD** (Manly) [1.01 p.m.]: At the outset I should say that this report is of the most serious nature. The commissioner has found evidence of gross breach of trust, honesty and integrity. For that reason, if for no other, this House needs to debate the implications of the report at length. Therefore, I will support the Opposition's amendment, which is to be given notice of, to seek to pursue that course. The report is unequivocal in its findings, in that under the Independent Commission Against Corruption Act alone the former Minister has been found guilty of corrupt conduct such that satisfies sections 8(1)(b) of the Independent Commission Against Corruption Act and in turn sections 9(1)(a) and 9(1)(c).

The report also indicates that his conduct may be in breach of several sections of the Crimes Act, including sections 178BA and 178BB. It is a matter of such serious consequence that it is not only appropriate for the former Minister to resign from the ministry, but he would have to consider whether he should resign from Parliament. That is a matter for him and his conscience at this stage. Arguably his continued presence may bring the House into disrepute. However, there are other matters to be dealt with. The report and its findings are to be referred to the Director of Public Prosecutions with recommendations that the director may wish to pursue. One other aspect that disturbs me greatly is that the commissioner sought to direct Parliament in some way, or to give advice to Parliament, as to how it should deal with this matter. Parliament needs to search its conscience, look at precedents, look carefully at how it will manage some of the commissioner's remarks. At the bottom of page 84 of the report the commissioner stated:

In my opinion, it could give rise to a situation in which the House could expel him.

In his covering letter, which paraphrases another section of the report, the commissioner stated:

Statements are made in the report that the Commission is of the opinion that consideration be given to the prosecution of Mr Langton for offences under ss. 178BA and 178BB of the Crimes Act 1990 and for the common law of breach of public trust, and that consideration be given by the Legislative Assembly to the taking of action against Mr Langton in respect of his membership of the Legislative Assembly.

I respect those comments by the commissioner. The commissioner is moving into new ground when he gives advice to Parliament on how it should deal with this case and this member. Parliamentarians need the wisdom of Solomon to deal with this matter very carefully. The prospect of a parliament expelling a member is very serious; something that it would have to do only in extreme circumstances and with great reluctance. The motion is somewhat trite; it seeks to gloss over some of the serious findings of the report. It does not satisfy me in any way. The report attempts to circumvent proper consideration and introduces various matters that will require implementation of the commissioner's recommendations. But it is not exhaustive in any sense. That is a matter for Parliament to debate and determine.

The leader of the House has moved a motion to implement changes to the Parliamentary Remuneration Tribunal and to refer to ethic advisers and ethics committees. The House is not ready for that. The House has to deal with the report and each member has to consider its findings and recommendations. Honourable members have to debate it at length and determine how to deal with various pieces of advice and recommendations. I hope I am wrong in thinking that the leader of the House tried to gloss over this report and deal with it in a superficial way. In his remarks in reply I hope he will acknowledge the need to deal with it in depth and at length because of its serious implications.

Honourable members need to consider the new issues that have arisen. The findings appear to be in no doubt, but how Parliament deals with the advice given by the commissioner about the membership of a member and whether it is appropriate to expel him worries me. I will give it a lot of consideration. I shall do the necessary research and will take advice on this, because we are moving into very serious areas and ones which may break new ground.

**Mr PHILLIPS** (Miranda—Deputy Leader of the Opposition) [1.07 p.m.]: On this matter of utmost seriousness the Government has moved a motion that can be called no less than a deliberate



political obfuscation defence. It is a means of going into defensive mode on the day that the ICAC report is issued. The motion in no way attempts to address the primary issues contained in the ICAC report. Very cleverly, the Government has moved a motion that basically says, "We note the report, let us wait for the court, let us move on." Mr Langton in his statement very cleverly said, "I am innocent of corruption and I will defend my right in the court. I am innocent of corruption." He has picked out a part of the report on which he is entitled to say whether he is innocent or guilty; he can take it to a court and have it defended. But the Government is missing one of the fundamental cores that Parliament needs to debate: paragraph 8(2) on page 85, which states:

On the findings of fact which I have made and the conclusions of law in relation to his conduct to which I have come, I am of the opinion that consideration should be given to the prosecution of Mr Brian Langton MP for breaches of s. 178BA and/or 178BB of the Crimes Act, and for the common law offence of breach of public trust.

It is that to which Brian Langton is saying, "I am innocent." The law will take its course. The ICAC report and the evidence will go to the Office of the Director of Public Prosecutions and the Director of Public Prosecutions will determine what charges, if any, will be laid. Paragraph (3) on page 86 of the report states:

I am further of the opinion that consideration should be given by the Legislative Assembly to the taking of action against Mr Langton in respect of his membership of the Legislative Assembly.

The Parliament should be addressing that statement, but the Government and Brian Langton have walked away from it. The Government can action that statement under Standing Order 294, which states:

**294.** A Member adjudged by the House guilty of conduct unworthy of a Member of Parliament may be expelled by vote of the House, and the seat declared vacant.

The Parliament should be debating whether the actions of Mr Langton constitute conduct unworthy of a member of Parliament. The courts may find Mr Langton guilty or innocent. Regardless of the judgment in the criminal court, the Parliament is still faced with the issue of whether the actions of Mr Langton are actions unbecoming a parliamentarian. That is what the Parliament must adjudge. Clearly, anyone who has followed the ICAC evidence in previous weeks and read Mr O'Keefe's judgments cannot come to any other conclusion.

Regardless of how much Brian Langton wants to say, "I am innocent of criminal conduct", he cannot walk away from the fact that he is guilty of

conduct unbecoming and unworthy of a member of Parliament. Time and again Mr Langton admitted taking certain action, and the ICAC report damns each of the actions he admitted. That is the standard line drawn in the Parliament about the behaviour of parliamentarians. I will not detail all the examples of the constant lying of Brian Langton by word and in writing to the Parliament. I simply refer to page 84 of the report, which sums it up as follows:

Mr Langton's conduct involved dishonesty. It involved untruthfulness. The dishonesty and untruthfulness were related to the functioning of the Parliament, in that he repeatedly told lies to the Parliamentary Accounts Department. As a result of those lies, he received the benefit of credits from the funds of the Parliament which he would not otherwise have received, and he was not required to reimburse the Parliament to the extent that he would have had to reimburse it had he told the truth. Furthermore, by his actions he, at least potentially, put at risk a number of his Parliamentary colleagues. Conduct of such a kind could, in my opinion, fall within the description in *re Trautwein* (supra) namely, conduct which was "contrary to the faith, credit and trust of mankind". Furthermore, his lack of credibility and lack of candour on oath . . .

That paragraph damns Brian Langton as being unworthy to be a member of Parliament. Brian Langton lied repeatedly to officers of the Parliament. Can we accept that standard in the Parliament? Mr Langton put his colleagues at risk. Can we accept that kind of behaviour as the standard in the Parliament? In the report the commissioner further stated:

I so find, namely that the Hon Brian Langton MP engaged in corrupt conduct in the respects detailed in this Report.

That means that the Parliament should be debating whether Brian Langton is a fit and proper member of Parliament, not the Government's motion. The Government adopted an interesting tactic in paragraph 8 of the motion, which asks the House to note that it intends to address the matters raised in the report by taking certain action. The Government is trying to cloud the issue before the Parliament. The Parliament can have all the codes and ethics it likes, and it can review those rules time and again. But whatever the rules, members of Parliament must follow them.

Members must not be allowed to break rules that they do not like in the hope that they will be changed, but that is the Government's proposal in this motion. The Government seems to be saying, "Forgive Brian for he knows not what he does. The rules of the Parliament are unfair so let us move on and change them and forgive him." The Government's proposition is totally unacceptable to the standards established and upheld by the Parliament. If the rules are wrong Brian Langton and other members have powers and procedures

available to change them. The process for changing the rules is not hard. But the rules are the rules and members must follow them, and if they do not follow them they must face the consequences of their actions.

If the Parliament has an established standard, what is the point of introducing a new system whereby members can break the rules they do not like and those rules will eventually be changed? A significant point in this debate which goes to the fundamental problem facing the Government is the question of leadership. Honourable members saw the recent poll with the heading, "Dead man walking", referring to the Premier's leadership. If ever the Premier needed to provide leadership on an issue, it is on the standards of the Parliament and the behaviour of one of his colleagues. The Premier, who is cowardly and lacks integrity, leadership and a spine, is nowhere to be seen in this debate. In no way will he put his fingerprints on this motion

**Mr Photios:** He's hiding in the bunker.

**Mr PHILLIPS:** As the honourable member for Ermington—soon to be Ryde—said, the Premier is hiding in the bunker. His lack of leadership must be damned. In the 14 years I have been in this Parliament I cannot remember the Premier of the day not taking the lead, through ministerial statement, a motion or by other means, on such a serious matter. Who is leading the Government? The Premier says, "Not me, keep me away from this issue." Who is in control? For those reasons the Opposition moves an amendment to the motion. I move:

That the motion be amended by leaving out paragraphs (5), (6), (7), (8) and (9) with a view to inserting instead:

- (5) note the refusal of the Premier to state his Government's response to the ICAC report;
- (6) note the failure of Mr Langton to answer the findings of the report;
- (7) resolve that the Premier and the member for Kogarah be directed to attend the House for examination upon the report and that Mr Speaker issue such order.

The final part of the amendment is in accordance with Standing Order 365. As the Leader of the Opposition and the honourable member for Manly have said, this is a serious debate in which the Premier must be involved totally. The Opposition will continue to pursue the matter with the Premier while ever he remains in the bunker. It suits the Opposition for the Premier to remain in the bunker for as long as he likes because the pain and opprobrium will continue to build. The Opposition

will pursue the Premier in the bunker like a ferret pursuing a rabbit down a burrow.

The Premier will be pursued by the media and the public until he takes a clear leadership stand as Premier of this State about acceptable standards in this Parliament and about the actions of his former Minister, the member for Kogarah. Brian Langton got it wrong. He believes he can weasel his way out of the problems he faces and maintain his parliamentary position as the member for Kogarah by focusing on the corruption charge. He will face that charge whether or not he remains in this Parliament. The issue the Opposition will pursue is whether he is worthy to be a member of this Parliament because he has lied and has admitted doing so. The Opposition will pursue that issue, the same issue on which Brian Langton has been condemned by ICAC.

**Mr PHOTIOS** (Ermington) [1.23 p.m.]: The clarion call of this House is directed to none other than the Premier of New South Wales. On one of the most significant days in the Government's short history, this House calls on the Premier to account to the people of New South Wales for a corrupt and dishonest Minister in a corrupt and dishonest Government, to use the words of the Independent Commission Against Corruption. The ICAC report also found that the former Minister for Fair Trading, Brian Langton, was a liar and that he was evasive, inconsistent, lacked credibility, corrupt, untruthful, dishonest, fraudulent, subject to false representations, and lacked candour on oath. That is not the rhetoric of the Opposition. They are the findings and conclusions of Commissioner O'Keefe, the head of the Independent Commission Against Corruption. Commissioner O'Keefe found that Brian Langton lacked credibility and that he lacked candour on oath. In his conclusions the commissioner said:

Mr Langton's conduct involved dishonesty. It involved untruthfulness. The dishonesty and untruthfulness were related to the functioning of the Parliament, in that he repeatedly told lies.

Elsewhere in the report Commissioner O'Keefe noted:

... those false representations were sufficient to constitute fraud on his part. They were false to his knowledge, intended to deceive ...

He also said:

Mr Langton's conduct can properly be characterised as corrupt conduct within the meaning of the Act, and on a number of bases as indicated.

Brian Langton repeatedly lied and acted fraudulently. He acted corruptly in many instances. Brian Langton should not only resign from the front bench of the Premier's Government, he should resign from the New South Wales Parliament. Those of us who believe in the credibility and integrity of this House believe that this Chamber has been impugned by the presence of Brian Langton. It is not good enough that those of us with honour and integrity should be forced to sit in this Chamber alongside a corrupt man. It is certainly not good enough that someone who has been found to be corrupt and who is subject to potential prosecution for criminal offences should remain a member of the New South Wales Parliament.

The Premier, even at the eleventh hour, must set the right standards. Ask not for whom the bell tolls, it tolls for thee, Mr Carr—not only Mr Langton. This is the beginning of the Premier's last day unless he presents a defence to this House. In the best interests of the people of New South Wales the Premier must take action to clear the decks of corrupt members of Parliament—not only stupid, inconsistent, evasive, untruthful and dishonest liars, but frauds and corrupt individuals. That is the very nature of those who sit on the Government benches.

I am pleased that the commissioner found that the honourable member for Canterbury, the honourable member for Illawarra, the honourable member for Rockdale, the former member for Cabramatta, the honourable member for The Entrance, and Mr Deputy-Speaker, the honourable member for Waratah acted, specifically quoting the remarks about Mr Deputy-Speaker, honestly and in good faith. The Opposition acknowledges that those findings are fair and legitimate. They are the first findings of ICAC, the independent umpire, after its investigation into parliamentary and electorate travel. However, ICAC found one member was corrupt and had acted fraudulently.

The call today to the New South Wales Premier, the dead man walking who leads the Government in this Chamber, is to act decisively before the people of New South Wales pass judgment on him. One thing that bemused me about Mr Langton's evidence which has not been the subject of discussion is his claim that all of the travel he undertook related purely and simply to his political or parliamentary responsibilities. In other words, in his defence he claimed before ICAC that if he was found to have acted fraudulently, dishonestly or corruptly, he did so because he was stupid.

He now claims he fraudulently and corruptly rorted the people of New South Wales in good faith, in their interest. It is an extraordinary scenario. The

former Minister begs to differ with the conclusions of ICAC. He says that even if what he did was wrong, even if he lied, even if he acted fraudulently, even if he was dishonest, what he did was in the interests of the people of New South Wales because it did not benefit him personally but advanced his role as a politician. On page 55 of the ICAC report, with respect to a trip taken between 20 and 23 January 1995, the commissioner gives the lie to Mr Langton's plea that in substance all his trips were for political or parapolitical causes. He refers to the little holiday jaunt to Mollymook with the wife and children, the hiring of cars, travelling at the expense of and on the backs of the taxpayers of New South Wales—on the back of the battlers who cannot afford a holiday to the beautiful south coast. The report states:

Mollymook is some 120 kilometres south of Kiama and some 50 kilometres north of Batemans Bay—

They are the geographic locations that Mr Langton claims he was visiting to undertake urgent road analysis. This was urgent road analysis only a couple of months before the election campaign. It is appropriate that ICAC made some observations about the witness, the best way we can refer to Mr Langton from this day forth.

**Mr O'Farrell:** The accused.

**Mr PHOTIOS:** He is the accused. Given the findings of the commissioner one might say he is the damned. The commissioner said:

Having regard to the fact that the trip was undertaken during the January holiday period, that the family accompanied him and that it extended over four days and three nights, I cannot help but feel that significant reasons for the trip were to have a break, be with the family and relax. I am prepared to accept that Mr Langton did look at those places and considered the issues which he nominated. However, to describe the trip as being for 'parliamentary purposes' draws a long bow and certainly it would not answer this description if the sole purpose test were to be applied.

In other words, the report concludes that parliamentary responsibilities could have been involved in the trip, but it concludes also that it draws a longbow to suggest that a trip with the wife and the kids to Mollymook at that time was for legitimate purposes. In other words, this member's defence—

**Mr BECKROGE** (Broken Hill) [1.33 p.m.]: I move:

That the question be now put.

**The House divided.**

**Ayes, 45**

Ms Allan	Mr McManus
Mr Amery	Mr Markham
Mr Anderson	Mr Martin
Ms Andrews	Ms Meagher
Mr Aquilina	Mr Mills
Mrs Beamer	Mr Moss
Mr Carr	Mr Nagle
Mr Clough	Mr Neilly
Mr Crittenden	Mr Price
Mr Debus	Dr Refshauge
Mr Face	Mr Rumble
Mr Gaudry	Mr Scully
Mrs Grusovin	Mr Shedden
Ms Hall	Mr Stewart
Mr Harrison	Mr Sullivan
Ms Harrison	Mr Tripodi
Mr Hunter	Mr Watkins
Mr Iemma	Mr Whelan
Mr Knowles	Mr Woods
Mr Langton	Mr Yeadon
Mrs Lo Po'	<i>Tellers,</i>
Mr Lynch	Mr Beckroge
Mr McBride	Mr Thompson

**Noes, 42**

Mr Beck	Mr O'Farrell
Mr Brogden	Mr Peacocke
Mr Chappell	Mr Phillips
Mrs Chikarovski	Mr Photios
Mr Cochran	Mr Richardson
Mr Collins	Mr Rixon
Mr Cruickshank	Mr Rozzoli
Mr Debnam	Mr Schipp
Mr Ellis	Ms Seaton
Ms Ficarra	Mrs Skinner
Mr Hartcher	Mr Slack-Smith
Mr Hazzard	Mr Small
Mr Humpherson	Mr Smith
Mr Jeffery	Mr Souris
Dr Kernohan	Mr Tink
Mr Kinross	Mr J. H. Turner
Mr MacCarthy	Mr R. W. Turner
Dr Macdonald	Mr Windsor
Mr Merton	
Ms Moore	<i>Tellers,</i>
Mr Oakeshott	Mr Fraser
Mr O'Doherty	Mr Kerr

**Pairs**

Mr Gibson	Mr Armstrong
Mr Knight	Mr Blackmore
Ms Nori	Mr Glachan
Mr E. T. Page	Mr Schultz
Mr Rogan	Mrs Stone

**Question so resolved in the affirmative.****Question—That the words stand—put.****The House divided.****Ayes, 45**

Ms Allan	Mr McManus
Mr Amery	Mr Markham
Mr Anderson	Mr Martin
Ms Andrews	Ms Meagher
Mr Aquilina	Mr Mills
Mrs Beamer	Mr Moss
Mr Carr	Mr Nagle
Mr Clough	Mr Neilly
Mr Crittenden	Mr Price
Mr Debus	Dr Refshauge
Mr Face	Mr Rumble
Mr Gaudry	Mr Scully
Mrs Grusovin	Mr Shedden
Ms Hall	Mr Stewart
Mr Harrison	Mr Sullivan
Ms Harrison	Mr Tripodi
Mr Hunter	Mr Watkins
Mr Iemma	Mr Whelan
Mr Knowles	Mr Woods
Mr Langton	Mr Yeadon
Mrs Lo Po'	<i>Tellers,</i>
Mr Lynch	Mr Beckroge
Mr McBride	Mr Thompson

**Noes, 43**

Mr Beck	Mr O'Doherty
Mr Blackmore	Mr O'Farrell
Mr Brogden	Mr Peacocke
Mr Chappell	Mr Phillips
Mrs Chikarovski	Mr Photios
Mr Cochran	Mr Richardson
Mr Collins	Mr Rixon
Mr Cruickshank	Mr Rozzoli
Mr Debnam	Mr Schipp
Mr Ellis	Ms Seaton
Ms Ficarra	Mrs Skinner
Mr Hartcher	Mr Slack-Smith
Mr Hazzard	Mr Small
Mr Humpherson	Mr Smith
Mr Jeffery	Mr Souris
Dr Kernohan	Mr Tink
Mr Kinross	Mr J. H. Turner
Mr MacCarthy	Mr R. W. Turner
Dr Macdonald	Mr Windsor
Mr Merton	<i>Tellers,</i>
Ms Moore	Mr Fraser
Mr Oakeshott	Mr Kerr

**Pairs**

Mr Gibson	Mr Armstrong
Mr Knight	Mr Glachan
Ms Nori	Mr D. L. Page
Mr E. T. Page	Mr Schultz
Mr Rogan	Mrs Stone

**Question so resolved in the affirmative.**

**Amendment negatived.**

**Question—That the motion be agreed to—put.**

**The House divided.**

**Ayes, 45**

Ms Allan	Mr McManus
Mr Amery	Mr Markham
Mr Anderson	Mr Martin
Ms Andrews	Ms Meagher
Mr Aquilina	Mr Mills
Mrs Beamer	Mr Moss
Mr Carr	Mr Nagle
Mr Clough	Mr Neilly
Mr Crittenden	Mr Price
Mr Debus	Dr Refshauge
Mr Face	Mr Rumble
Mr Gaudry	Mr Scully
Mrs Grusovin	Mr Shedden
Ms Hall	Mr Stewart
Mr Harrison	Mr Sullivan
Ms Harrison	Mr Tripodi
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Mr Iemma	Mr Whelan
Mr Knowles	Mr Woods
Mr Langton	Mr Yeadon
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Mr McBride	Mr Thompson

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Mr Ellis	Ms Seaton
Ms Ficarra	Mrs Skinner
Mr Hartcher	Mr Slack-Smith
Mr Hazzard	Mr Small
Mr Humpherson	Mr Smith
Mr Jeffery	Mr Souris
Dr Kernohan	Mr Tink
Mr Kinross	Mr J. H. Turner
Mr MacCarthy	Mr R. W. Turner
Dr Macdonald	Mr Windsor
Mr Merton	<i>Tellers,</i>
Ms Moore	Mr Fraser
Mr Oakeshott	Mr Kerr

**Pairs**

Mr Gibson	Mr Armstrong
Mr Knight	Mr Glachan
Ms Nori	Mr D. L. Page
Mr E. T. Page	Mr Schultz
Mr Rogan	Mrs Stone

**Question so resolved in the affirmative.**

**Motion agreed to.**

*[Mr Speaker left the chair at 1.52 p.m. The House resumed at 2.15 p.m.]*

## MINISTRY

**Mr CARR:** The member for Blue Mountains has been sworn in as Minister for Emergency Services and the Attorney General in another place has been sworn in as Minister for Fair Trading.

## PHOTOGRAPHING OF PROCEEDINGS

**Mr Clough:** On a point of order. It is with some concern that I note the presence in the gallery of a number of photographers. As a member of this House I object to those photographers being in that position.

**Mr SPEAKER:** Order! I remind the photographers in the public gallery that standing orders provide that they may use only the corner of the gallery area.

## PETITIONS

### Governor of New South Wales

Petitions praying that the office of Governor of New South Wales not be downgraded, and that the role, duties and future of the office be determined by a referendum, received from **Mr Blackmore, Mr Brogden, Mrs Chikarovski, Mr Collins, Mr Debnam, Ms Ficarra, Mr Glachan, Mr Hartcher, Mr Hazzard, Mr Humpherson, Dr Kernohan, Mr Kerr, Mr MacCarthy, Mr Merton, Mr O'Doherty, Mr O'Farrell, Mr Photios, Mr Richardson, Mr Rozzoli, Mr Schipp, Mr Schultz, Ms Seaton, Mrs Skinner, Mr Smith and Mr Tink.**

### Land Tax

Petitions praying that land tax on the family home be repealed and that the land tax threshold on investment properties be doubled from \$160,000 to \$320,000, received from **Mr Macdonald and Mrs Skinner.**

**Ryde Hospital**

Petition praying that Ryde Hospital and its services be retained, received from **Mr Tink**.

**Coffs Harbour Jetty**

Petition praying that a platform be constructed on Coffs Harbour jetty for the purposes of jetty jumping, received from **Mr Fraser**.

**Northside Storage Tunnel**

Petition praying that plans to construct a storage tunnel from Lane Cove to North Head be abandoned, and that the allocated funds be used to find a long-term sustainable solution to sewage disposal, received from **Dr Macdonald**.

**Tasman Road and The Wool Road, St Georges Basin**

Petition praying that a four-tonne weight limit be imposed on traffic using Tasman Road and The Wool Road, St Georges Basin, east of Grange Road to Island Point Road, received from **Mr Ellis**.

**Manly Wharf Bus Services**

Petition praying that plans to move bus services from Manly wharf to Gilbert Park be abandoned, received from **Dr Macdonald**.

**Pig Hunting**

Petitions praying against proposed changes to legislation to ban the use of dogs in pig hunting, received from **Dr Kernohan** and **Mr Schipp**.

**STANDING ETHICS COMMITTEE****Report**

**Mr Nagle**, as Chairman, tabled the report of the committee entitled "Second Report on A Draft Code of Conduct for Members of the Legislative Assembly".

**Ordered to be printed.**

**QUESTIONS WITHOUT NOTICE****HONOURABLE MEMBER FOR KOGARAH**

**Mr COLLINS:** My question is to the Premier. Did the member for Kogarah engage in corrupt

conduct, abuse his official position, misuse his office as a member of Parliament and did he do so "knowingly, deliberately, wilfully, repeatedly and in circumstances of bad faith"? Why will the Premier not now show the leadership people expect of their Premier and move today to expel this corrupt Labor member from Parliament?

**Mr CARR:** Because, in essence, of every precedent from when the coalition was in government in this State, and every precedent from every other Parliament in Australia.

**Mr SPEAKER:** Order! I understand why members are a little testy today but I expect them to show a little more restraint than they have shown thus far in question time. The Premier is entitled to have his reply heard by all members of the House.

**Mr CARR:** If there were a Federal ICAC, I do not have the faintest doubt that it would be hauling before it former members of the SAS and members of the staff of Mr Peter Reith to talk to them about Dubai.

**Mr SPEAKER:** Order! I call the honourable member for Gosford to order. I call the honourable member for Pittwater to order.

**Mr CARR:** Let us just explore the precedents on this matter.

**Mr SPEAKER:** Order! I call the honourable member for Gosford to order for the second time. I call the honourable member for Ku-ring-gai to order.

**Mr CARR:** This House had before it a report of ICAC into north coast land deals.

**Mr SPEAKER:** Order! I call the honourable member for Davidson to order. I call the honourable member for Wakehurst to order.

**Mr CARR:** In relation to the honourable member for Ballina that report found:

There is evidence warranting consideration of a prosecution of Mr Page for an offence of common law bribery.

Did it occur to the then Attorney General that he should move a motion in this House to expel someone against whom ICAC said there was evidence warranting consideration of prosecution for an offence of common law bribery? That finding appears at page 642 of the report of ICAC into north coast land deals.

**Mr SPEAKER:** Order! I call the Deputy Leader of the Opposition to order.

**Mr CARR:** Another member of this House is trembling because he fears I might draw attention to him.

**Mr SPEAKER:** Order! I call the honourable member for Gordon to order.

**Mr CARR:** There is damning evidence against the honourable member for Murwillumbah at pages 642 and 643 of that ICAC report, which states:

There is evidence warranting consideration of prosecution of Mr Beck for two offences of common law bribery.

Did it occur to the then Attorney General, custodian of the State's legal system, to move a motion in this House to expel either member on that occasion? I shall take honourable members down the list of members of the previous Government against whom ICAC made findings. There was Causley's handling of Crown land, said to be conducive to corrupt conduct. The coalition kept him in his portfolio; he was not even removed as a Minister. About Wal Murray, a former Deputy Premier, it was said "a climate conducive to corruption". Was there any move from the Government of the day or, indeed, from the Opposition at that time to expel him from the Parliament? The answer is no. In April 1992 the then Attorney General said:

Parliament has no power to convict. For those who like to assert the power of Parliament it should be remembered that Parliament gives that responsibility to an entirely independent judiciary. That is the way it should remain.

Who said that? It was the then Attorney General—none other than the present Leader of the Opposition. The precedents roll on. Former member for North Shore Philip Smiles, whose political career apparently is by no means over in that he is still a hardy candidate for preselections, faced charges regarding taxation. The coalition moved no motion to expel him from the Parliament.

**Mr SPEAKER:** Order! I call the honourable member for Northcott to order. I call the honourable member for Burrinjuck to order.

**Mr CARR:** There was former member for Davidson—

[*Interruption*]

The honourable member for Gosford said, "not corrupt" of the former member for North Shore.

**Mr Hartcher:** On a point of order. The Premier has indicated that I made certain remarks. I did not make them.

**Mr SPEAKER:** Order! No point of order is involved. The member for Gosford knows that he has an opportunity to make a personal explanation if he desires to do so.

**Mr CARR:** The honourable member for Gosford is protesting his innocence. The *Australian*, giving an account of one of those famous Smiles tax trials, reported, "He was accompanied by his wife, Anne, and Liberal Party Whip Mr Chris Hartcher." The honourable member was clinging like a leech to Phillip Smiles throughout his defence.

**Mr SPEAKER:** Order! I place the honourable member for Gordon on three calls to order.

**Mr CARR:** As for the honourable member for Ermington, I remind honourable members about the memorable day in this Chamber in 1994 when the tape with those immaculate Italian accents was first referred to. The honourable member for Ermington was clinging like a leech to the former member for Blue Mountains, coaching him at every stage of his defence. The list goes on.

**Mr SPEAKER:** Order! I call the honourable member for Ermington to order.

**Mr CARR:** Former member for The Hills Tony Packard faced charges relating to the possession of a listening device.

**Mr SPEAKER:** Order! I call the Deputy Leader of the National Party to order. I call the Leader of the National Party to order. I call the honourable member for The Hills to order.

**Mr CARR:** Former member for Davidson Terry Metherell faced tax fraud charges. There was no motion for expulsion moved against any one of those members by the Attorney General of the time, and none, as it happens, by the Opposition of the time. I have already referred to the former member for Blue Mountains.

**Mr SPEAKER:** Order! I call the Leader of the National Party to order for the second time.

**Mr CARR:** What did the present Leader of the Opposition say in respect of Greiner and Moore? He did not move for their expulsion from the Parliament.

**Mr Cochran:** On a point of order. The House is allocated 45 minutes for questions—

**Mr E. T. Page:** What's your point of order?

**Mr Cochran:** The standing orders allow 45 minutes for question time each day. The Premier has now taken seven valuable minutes of time that should be allocated to both sides of the House. I request that you ask him to at least address the question.

**Mr SPEAKER:** Order! I remind the member that the standing order to which he refers goes further and provides:

(2) No question shall be asked after 45 minutes from the Speaker calling on questions or the answering of 10 questions whichever is the later.

**Mr Clough:** On the point of order. We get these time-wasting, idiotic—

**Mr SPEAKER:** Order! I call the honourable member for Wakehurst to order for the second time.

**Mr Clough:** I can stand here for as long as it takes.

**Mr SPEAKER:** Order! The honourable member for Bathurst will remain silent until Opposition members cease interjecting.

**Mr Clough:** The honourable member for Monaro does not state his point of order. Every time something is said by a Minister—

*[Interruption]*

**Mr SPEAKER:** Order! The honourable member for Bathurst will remain silent until the House comes to order.

**Mr Clough:** We have had only one member of this Parliament that I can remember who was worse for points of order—

**Mr SPEAKER:** Order! I have asked members on a number of occasions, either directly or indirectly, to cease interjecting while the member for Bathurst takes a point of order. I will direct the Serjeant-at-Arms to remove the member who next interjects while the point of order is being taken.

**Mr Clough:** The only member worse than the honourable member for Monaro since I have been in this place is now the Deputy Prime Minister.

**Mr SPEAKER:** Order! With regard to the matter raised by the honourable member for Monaro there is no point of order.

**Mr CARR:** I have a load of quotations from the Leader of the Opposition defending Beck—

**Mr SPEAKER:** Order! The Leader of the Opposition has asked a question and he will listen to the answer in silence.

**Mr CARR:** —defending Packard, defending the honourable member for Ballina, defending the honourable member for Murwillumbah, defending the whole lot of them one after the other, never once proposing, in the light of damning ICAC findings, that any one of his colleagues should be expelled from the Parliament—not on one occasion.

**Mr SPEAKER:** Order! I call the honourable member for The Hills to order for the second time.

**Mr CARR:** The Opposition of the time did not do so, either. I release today a list of members of the coalition at the national level: John Sharp, David Jull, Peter McGauran, Bruce Scott, Michael Cobb, Bob Woods—

**Mr SPEAKER:** Order! I call the honourable member for Ermington to order for the second time.

**Mr CARR:** —who were the subject of far more serious charges than those made against the member for Kogarah.

**Mr O'Doherty:** On a point of order. I refer the House to standing order 138. The question asked was to do with the corrupt member for Kogarah.

**Mr SPEAKER:** Order! I have warned members about interjecting when a point of order is being taken.

**Mr O'Doherty:** Standing order 138 provides that answers shall be relevant. The Premier has not once related his answer to the question that was asked.

**Mr SPEAKER:** Order! There is no point of order.

## VALUE-ADDED FOOD INDUSTRIES

**Mr McBRIDE:** I ask the Minister for Regional Development, and Minister for Rural Affairs what the State Government is doing to support job growth in value-added food industries in the Riverina?

**Mr SPEAKER:** Order! I call the honourable member for Northcott to order for the second time. I place the honourable member for Pittwater on three calls to order. I place the honourable member for Lane Cove on three calls to order.



**Mr WOODS:** The honourable member for The Entrance has a great interest in the regions of New South Wales, and he knows that the Riverina is a great place. The Riverina is experiencing strong economic growth at present.

**Mr SPEAKER:** Order! I call the Deputy Leader of the National Party to order for the second time.

**Mr WOODS:** The State Government is right behind that growth. It is supporting the industries in the region that are growing and creating secure jobs.

**Mr SPEAKER:** Order! I call the honourable member for Murrumbidgee to order.

**Mr WOODS:** In December I announced a five-point action plan for growth in the Riverina. That plan is well under way. It has ensured that \$250 million in private investment will go ahead. The investment—by companies such as Peter Bartter's Bartter Enterprises—will create some 1,600 direct new jobs over the next 10 years. Today I can announce that another great Riverina entrepreneur is expanding and creating new jobs, with help from the State Government. Tony Parle's food-processing company is expanding, replacing imports and increasing exports, and it will create 120 direct new jobs. Parle Foods is establishing a vegetable freezing and canning facility to target lucrative vegetable marketing in Australia and overseas. Local growers will be big winners. Parle Foods will get its vegetables from Riverina growers. Tony Parle is one of the Riverina's industry champions. His company is the sole supplier of pickles to the Australian fast-food industry.

Last year Parle Foods Pty Ltd purchased 50 per cent of the frozen vegetable distributor, Olivers Choice, as part of its diversification plans. The company will use the market share of Olivers Choice to replace imported vegetables with locally grown product, and that is great news for the Riverina. As well as creating 120 direct new jobs, the expansion will mean more value-adding, import replacement and export growth. The first phase expansion is expected to be fully completed by the end of 1999. The company will then implement a second phase involving a major peach growing and processing operation in the year 2001. That means more indirect jobs and increased income for growers.

Despite insecurity with the Asian currency crisis, Tony Parle has seen some real export opportunities. Tony Parle has found that Asian markets can no longer afford American products and are looking to Australia instead. Tony Parle will be selling Australian products and creating new Australian jobs. The State Government will be

behind him, just like the Government is behind other go-ahead industries in the Riverina such as De Bortoli Wines Pty Limited and Riverina Wines.

**Mr SPEAKER:** Order! I call the honourable member for Baulkham Hills to order.

**Mr WOODS:** Riverina Wines will be one of the biggest wine growers in the area, having just planted one million vines. The State Government will make sure that the great food producing Riverina region continues to prosper and create new jobs. The Government is taking a whole-of-government approach and that is what the five-point action is all about. The Government will fund road infrastructure, implement a strategy to attract the labour market, ensure adequate supply of affordable land for employees' housing, fund training programs and ensure that enough industrial land is available. The State Government will not stop at the Riverina but it will use that as a model.

The Government is looking at regional strengths. It will identify what needs to be done to ensure growth and investment in other regional centres. The Government will not sit on the sidelines and watch investments move to other States or other areas: it will intervene and secure those investments just like Tony Parle has done for regional New South Wales.

*[Questions without notice interrupted.]*

#### **DISTINGUISHED VISITOR**

**Mr SPEAKER:** Order! I welcome to the gallery the Chairman of the Fiji Public Service Commission, Mr Waqanivavalagi who was formerly a longstanding member of the Fijian Parliament. As members know, Fiji has recently rejoined the Commonwealth. The strength of the relationship between the New South Wales Government and the Fijian Government is confirmed by the constant presence in Fiji of staff from the Premier's Department who are providing assistance in the development of the Fijian public service.

*[Questions without notice resumed.]*

#### **QUESTIONS WITHOUT NOTICE**

#### **HONOURABLE MEMBER FOR KOGARAH**

**Mr ARMSTRONG:** My question is to the Premier. Did your police Minister say today that "expulsion can only be exercised as a defensive measure"? Given that ICAC found the member for Kogarah's corrupt conduct "put at risk a number of

his parliamentary colleagues", does that not constitute the clearest grounds for his expulsion to protect the institution of the Parliament?

**Mr CARR:** Here is the moral heir to Wal Murray.

**Mr SPEAKER:** Order! I call the honourable member for Ermington to order for the third time.

**Mr CARR:** Here is the leader of a party that gave this State a climate conducive to corruption. They behaved like pigs with their snout in the trough in 1998-90 when they got into north coast land deals. North coast land deals marked the coalition Government from day one!

**Mr SPEAKER:** Order! I call the honourable member for Ku-ring-gai to order for the second time.

**Mr CARR:** Max Singleton was barely in office half a day before he was making representations to David Hay, the Minister for Planning, to get land he effectively owned rezoned to increase its value. He was from the National party! Then Ian Causley got into it, and moved up the north coast and carved up government land and handed it on a platter to developers.

**Mr SPEAKER:** Order! I call the honourable member for Georges River to order. I call the honourable member for Coffs Harbour to order.

**Mr CARR:** Mr Causley's aim was to concrete the coast, tear up wetland protection and tear up environmental protection zonings, with Wal Murray encouraging him. That was a climate conducive to corruption. That is the National Party's record!

**Mr SPEAKER:** Order! I call the honourable member for The Hills to order for the third time. I call the Leader of the National Party to order for the second time.

**Mr CARR:** The bloke who had it—

**Mr Collins:** Why is he still here?

**Mr CARR:** Why is the honourable member for Ballina still here? Why are other Opposition members still here?

**Mr SPEAKER:** Order! The Chair is aware that the Leader of the Opposition has strong feelings about this matter, but the procedures of the House allow him to express his point of view other than by shouting across the Chamber from where he sits.

Each time he does so, the level and volume of interjection increases. The Leader of the Opposition will refrain from shouting across the Chamber.

**Mr CARR:** "Why is he still here?", he asks. I presume that is directed at the honourable member for Ballina.

**Mr Collins:** It is directed at the member for Kogarah.

**Mr SPEAKER:** Order! Five seconds after I asked the Leader of the Opposition to moderate his behaviour he repeated his earlier actions. I place him on three calls to order.

**Mr CARR:** The finding of the ICAC was damning prosecutions of common law bribery. Not only was the honourable member for Ballina not expelled, he was made shadow minister for lands.

#### RURAL ALLIED HEALTH SCHOLARSHIPS

**Mr CLOUGH:** My question without notice is to the Deputy Premier, Minister for Health, and Minister for Aboriginal Affairs. What is the current status of the Government's Rural Allied Health Scholarships to assist young people wanting to work as health professionals in country areas?

**Mr SPEAKER:** Order! Because of continual interjections from the Opposition front bench the Chair has difficulty hearing what is being said by those on the back bench. This is the second occasion on which I have had to ask a member to repeat a question because of my inability to hear it.

**Mr CLOUGH:** What is the current situation with regard to rural allied health scholarships to enable young people to work as health professionals in country areas?

**Mr Collins:** On a point of order. On the point you have just raised, obviously it would assist both the Chair and Hansard reporters if some members came down to use the microphones to ask their questions.

**Mr SPEAKER:** Order! The point of order has some validity. The difficulty about the proposition put forward by the Leader of the Opposition is that if the member for Fairfield, for example, used the microphone on the floor of the Chamber, a great deal of time would be wasted and he would have difficulty moving to and from the microphone. The configuration of the Chamber makes the suggestion of the Leader of the Opposition impractical.

**Dr REFSHAUGE:** I commend the honourable member for Bathurst for his continuing interest in rural health issues. He is a constant advocate for improved services for people who live outside the metropolitan area. The problem of skilled professionals in rural areas is faced by all developed western countries. At my first ministerial conference I raised that issue at a national level so that we could get a concerted effort across this nation to try to find more and better ways to address the problem of attracting health professionals to country areas.

Many rural areas find it difficult to attract health professionals, not just doctors and nurses but allied health professionals as well—physiotherapists, speech pathologists, psychologists, occupational therapists and the like. More and more we are looking for new and innovative ways to encourage more health professionals to consider taking up a rural practice. To achieve that the Carr Government has established a \$2 million work force strategy. It has been designed to help overcome some of the ongoing difficulties in recruiting and retraining doctors, nurses and allied health professionals. The strategy includes piloting a toll-free telephone link to provide specialist advice to general practitioners. It includes a pilot locum service for a specialist doctor in obstetrics and gynaecology, as well as two positions in the Royal Australasian College of Surgeons' general rural training program.

A very important part of the strategy is the establishment of rural allied health scholarships and grants. I am pleased to announce that the Carr Government has awarded 20 scholarships to students who want to work as allied health professionals in country areas. Studies have shown that students with a rural background are more likely to return to rural practice. To help encourage this, 20 undergraduate and postgraduate students are each receiving a \$5,750 rural allied health scholarship. The students are studying in areas such as occupational therapy, pharmacy, physiotherapy, dietetics, social work and speech pathology, and one is doing a masters in psychology.

To be eligible, students had to meet three requirements: firstly, they had to live in New South Wales; secondly, they had to have a rural background; and thirdly, and most importantly, they had to demonstrate a strong interest in working in a rural area after graduating. It is worth noting that of all the successful students the majority of their families still live in country areas. To choose the scholarship winners, a scholarship selection committee was established. It comprised representatives from the New South Wales Department of Health, the chief executive officers of

the rural health services, the rural health support unit and a rural representative of each discipline's professional organisation. Students applying for the scholarships were asked to submit two essays. It is remarkable to hear what some of these young men and women wrote as the reasons that they want to work in rural areas. One wrote:

Country health allows for heightened client-practitioner relationship, holistically looking into a long term partnership.

Another wrote:

I want to be able to see the impact that I am having on the health of the community, to know that I am helping people. Job satisfaction is definitely a major drawcard for rural practice.

Another student who had always lived in rural areas, where her father was a farmer and a grazier, had been provided with an opportunity to participate in many farming activities. Farmers in her district worked closely and helped each other during busy periods of farm activities. She wrote:

I enjoy the space, the quieter lifestyle, the community atmosphere associated with living in rural areas. As most people know each other this allows them to have a sense of belonging and also means that the community works closely together to maintain a high standard of services and quality of life.

This is the essence of people who love the country and want to get skills and take those skills back to their community and develop a professional responsibility and network. These scholarships are designed to assist those students who love their community to be able to return to where they grew up and where they developed their network. I was impressed when I read the essays of the students and I am happy to continue to do that. I am sure that further scholarships will be granted in future years. Another student, who wants to be an occupational therapist, wrote:

I know why I want to practice in a rural area. Firstly, because rural Australia needs occupational therapists. Even when positions exist they are often left unfilled. And, secondly, to give something back to the kind of communities who have supported and encouraged me when I was growing up, and continue to do so while I am studying.

The 20 students who were successful in applying for the scholarships are: Karen Barrett, studying social work at Newcastle University; Andrew Davidson, dietetics, Newcastle University; Scott Hawthorne, physiotherapy, University of Sydney; Nicole Hockley, pharmacy, University of Sydney; Alison Howle, speech pathology, Newcastle University; Fletcher Ivey, physiotherapy, University of Sydney; Abigail Johnson, speech pathology, Newcastle

University; Emma Johnston, psychology, University of New England; Kirsty Krieg, physiotherapy, University of Sydney; Kelly Lonergan, speech pathology, Newcastle University; Kerry Moorhouse, occupational therapy, University of Western Sydney; Emma Nicholson, occupational therapy, Newcastle University; Catherine Offner, dietetics, Newcastle University; Susanne Parks, speech pathology, University of Sydney; Jessica Purches, social work, University of New South Wales; Melanie Rohn, physiotherapy, University of Sydney; Tristan Rutland, pharmacy, University of Sydney; Richard Sager, dietetics, Newcastle University; Tracy Sloan, occupational therapy, Charles Sturt University; and Carolyn Vere, who is studying psychology at the University of New England.

I am proud to read out their names; they have tried hard and are committed to taking their skills back to country areas. Their commitment to rural practice deserves to be recognised and endorsed by this House. To try to attract even more students to rural careers, the Government will establish 50 clinical placement grants of up to \$500, which will be awarded later this year. These grants will be open to students from either rural or urban backgrounds. Giving students the opportunity to experience rural practice and lifestyle is an effective way of attracting more people, especially professionals, to rural careers. The clinical placement grants are for allied health students in their final two years of an undergraduate course, or for both years of a postgraduate course.

The money is to assist with accommodation and travel expenses associated with rural clinical placements. A lot needs to be done to try to find ways of getting more professionals to rural areas. My colleagues in other States are looking at the initiatives developed by this Government, as we look to initiatives that they have developed. I am pleased to announce not only the names of the students who have been successful in getting scholarships to take their skills back to the country, but to commit the Carr Government to not rest as it searches for more and better ways to improve the conditions for people who want to work in rural areas. The Government is committed to reskill the country by attracting health professionals to rural areas. No doubt this scheme has been welcomed by students and the universities. It has been welcomed by rural practices and I have no doubt that many other States will look at the success of this scholarship scheme and implement it in their own States.

#### **HONOURABLE MEMBER FOR KOGARAH**

**Mr PHOTIOS:** My question without notice is directed to the Premier, Minister for the Arts, and

Minister for Ethnic Affairs. Did the ICAC Commissioner make a clear recommendation that Parliament should consider expelling the member for Kogarah for his corrupt conduct? Does the Premier's refusal to now act on this ICAC recommendation show his and the Government's complete contempt for the ICAC?

**Mr CARR:** I have a raft of interesting quotes about ICAC from people on the other side of politics, from former Premiers and former Ministers. The ICAC report asked Parliament to consider the issue of the former Minister continuing in this Parliament, and Parliament has.

**Mr SPEAKER:** Order! I call the Deputy Leader of the Opposition to order for the second time.

#### **HOME MODIFICATION SERVICES FOR PEOPLE WITH DISABILITIES**

**Mr HUNTER:** My question without notice is directed to the Minister for Community Services. What is the Government doing to improve access to home modification services for people with disabilities?

**Mrs LO PO':** This is an important question that affects not only people with disabilities but older citizens who want to stay in their own homes. The home modification and maintenance service, which operates within the home and community care program, helps frail, older people, and people with disabilities, and their carers make better use of their homes by installing things such as indoor and outdoor support rails, ramps, and widening doorways. This assists older people and people with disabilities to remain in their own homes, which as all honourable members would be aware is the purpose of the HACC program. The Government views the need to provide support for people to remain in a dwelling of their choice as a matter of high priority.

Without the provision of these supports many people would prematurely enter nursing homes or other forms of supported accommodation. Plainly, the preference nominated by people is to stay in their home. That is not only preferable for the consumers involved but more cost effective for the elderly and people with disabilities. To indicate the Government's support for the home and community care program, I can inform the House that when Labor came to government total recurrent funding was \$231 million, and that funding for the program had increased to more than \$251 million in the last budget.

I am pleased to inform the House that this week my colleague the Minister for Urban Affairs and Planning, and Minister for Housing and I approved the transfer from the Department of Housing to the Ageing and Disability Department of responsibility for administering the HACC program modification and maintenance service. This will streamline the process of providing important physical supports by reducing the number of departments involved in running the HACC program. Under the previous Government eight departments and agencies were involved in administering the program. So the inefficiencies of the coalition Government are shown at all levels of government. This Government has been successful in reducing the number of agencies involved in the program to three: the Ageing and Disability Department, the Department of Health and the Department of Transport.

The Labor Government is committed to reducing bureaucratic duplication and simplifying the administration of the program. That is something that moved very slowly under the coalition Government; indeed, it did not move at all. This decision is one further step taken by the Government to make the program responsive to the needs of frail elderly people and people with disabilities, and their carers. The Ageing and Disability Department will now be able to employ staff to support this change. It will create four new jobs in regional areas and one new position in Sydney. The move reflects a commitment to create a better, more responsive home and community care program that benefits a larger number of people in need. It is clear from the reaction of members opposite that they do not care about elderly people.

#### **KNIFE POSSESSION PENALTIES**

**Mr TINK:** My question is directed to the Premier. Do the latest Bureau of Crime Statistics and Research figures show that robberies with knives have more than doubled and assaults with knives have risen by 42 per cent under this Government? Will the Premier now concede that a fine of \$550 for carrying a knife is a completely inadequate response to this crime problem? Will the Premier adopt the coalition's proposal for a maximum five-year gaol term?

**Mr CARR:** I refer the honourable member to the comprehensive answer on knives I gave in the House yesterday.

#### **KERBSIDE RECYCLING**

**Mr MILLS:** My question without notice is addressed to the Minister for the Environment. What action is the Government taking to guarantee the

future of kerbside recycling in New South Wales?

**Ms ALLAN:** The Carr Labor Government has presided over the most comprehensive reform of waste management and recycling in this country's history. We have led the way with record funding support to local councils and the community to achieve the ambitious waste reduction goals we set when we came to office. Indeed, in 2000 this Government will have expended more than \$60 million on waste management. This has been reinforced by the New South Wales Waste Service spending, in conjunction with the private sector, up to \$100 million over five years on securing effective waste minimisation infrastructure.

That means that the Government's combined expenditure on waste minimisation and recycling far outweighs the amount collected through section 72 waste levies. The Government wants to work closely with local government to provide long-term security to kerbside recycling while at the same time addressing the short-term concerns of local government. This will be over and above the Government's record funding commitment to waste minimisation. Today I am in a position to announce an additional package of funding support for recycling and waste minimisation totalling almost \$73 million over the next five years. This means that local government will directly benefit from an additional \$8 million over the next two years and up to \$21.5 million a year for the following three years.

**Mr Hazzard:** Wonderful!

**Ms ALLAN:** I am pleased that the honourable member for Wakehurst is enthusiastic about today's announcement. This funding package fulfils the desire of local government and industry to formally link the section 72 levy and waste funding. From 1 July the waste levy will increase from \$10 to \$17 in the Sydney region and from \$4 to \$8 in the central coast, the Hunter and the Illawarra. The waste levy plays a critical part in discouraging frivolous waste disposal.

**Mr Hazzard:** Garbage!

**Ms ALLAN:** The honourable member rightly says "garbage". The levy reflects the true social and environmental costs of landfill. Feedback from industry and local government indicates that the current levy is not sufficient to do this. Honourable members must appreciate the difficult circumstances surrounding the management of waste handed to this Government by the coalition Government. What was the coalition's solution to waste management in New South Wales? The coalition Government planned

mega tips throughout New South Wales; and its financial contribution to waste minimisation was a miserable \$10.5 million over its last three years in office, compared to this Government's commitment which now stands at \$133 million over eight years.

This is a stark reminder of the almost complete inadequacy of the previous Government's support for recycling and waste minimisation. The coalition Government restricted the ability of local government and the community to put in place the necessary systems to guard against fluctuations in markets. The Government is fully aware that current pressures on kerbside recycling have been exacerbated by the recent Asian currency crises, and is working on a wide range of fronts to ensure that kerbside recycling continues and mechanisms that will achieve long-term stability are put in place. I am enjoying working with my Liberal Party colleagues in Victoria in particular to try to shield the Australian recycling markets from the current international fluctuations.

The current difficulty experienced with kerbside recycling is partly a symptom of its success and reflects its widespread acceptance across the New South Wales community. Between 1995 and 1997 the diversion of recycled materials from landfill increased by 40 per cent. Recently, I met with my Victorian colleague the Hon. Marie Tehan to initiate joint strategies to support kerbside recycling. The New South Wales and Victorian environment protection authorities will co-operate in the commissioning of an independent study to identify current market supply and demand issues for kerbside materials. That joint co-operation across New South Wales and Victoria, together with the funding announced today, will ensure that kerbside recycling in New South Wales continues to flourish.

### KNIFE POSSESSION PENALTIES

**Mr SOURIS:** My question is directed to the Minister for Police. Why is the Government's knife legislation so confusing that the Minister claims people will be prosecuted for carrying a pocketknife while police commissioner Peter Ryan said that people will not be prosecuted? Is the Minister right or is the police commissioner right?

**Mr WHELAN:** Clearly, the honourable member, who did not contribute to debate on the bill last night, knows as much as the Leader of the Opposition, which is nil.

**Mr SOURIS:** I ask a supplementary question. When will the Minister be able to provide

information about this Act, about which he clearly has not been briefed?

**Mr WHELAN:** The first answer to the supplementary question is that it is a bill, not an Act; second, it passed through the Legislative Assembly last night; and, third, it is in the New South Wales upper House. I will make arrangements for the Deputy Leader of the National Party to be given a copy of the bill and for someone to read it to him.

### FEDERAL EMPLOYMENT SERVICES FUNDING

**Mrs BEAMER:** My question without notice is to the Minister for Information Technology, Minister for Forestry, Minister for Ports, and Minister Assisting the Premier on Western Sydney. What impact will the Commonwealth Government's new employment services regime have on the people of Western Sydney?

**Mr YEADON:** The honourable member for Badgerys Creek is a fine representative from western Sydney. Today is the last day in the life of the Commonwealth Employment Service. From tomorrow the Federal Government's new Job Network starts. In this brave new world of employment services more than 300 firms will compete against each other to place unemployed people in jobs. From tomorrow there will be a confusing range of community and private agencies, along with the government agency to be known as Employment National. In the *Sydney Morning Herald* on 7 March 1998 Employment National spokesperson Mr Rod Hallsted said:

If we can assist, we will assist—[But] we are not a free CES, we are a commercial provider like anyone else. We have a fee for service or we won't be able to cover costs.

The unemployed people of western Sydney now have a significantly smaller government agency responsible for job placement saying to them that they can forget about getting a job unless their prospective employer pays a fee. Western Sydney members of this House would also be aware of a company called Employment Interactive, which won a million-dollar contract in south-west Sydney, which is the most job-depressed region. Yet, this company has little or no experience in the field. The headline from the *Sydney Morning Herald* of 5 March said:

No staff, no office, little expertise, but this man says he'll find you a job.

Apparently Employment Interactive was unable to deliver and its contract has since been given to JOBFutures. In fact, 10 per cent of all contracts awarded under the Job Network tender have been subcontracted to other firms. Why did Employment Interactive get the contract in the first place? The whole process was all smoke and mirrors. The future of western Sydney families has been exploited by amateurs, profit takers and carpetbaggers. The Howard Government is not interested in finding jobs for unemployed people in western Sydney; it just wants to cut costs by any means possible.

A significant factor in helping people to find jobs is to improve their skills base. The Federal Government has a woeful record in training unemployed people. It has chosen to slash funding to western Sydney, which has a real need for employment and training assistance. Between 1995-96 and 1996-97 Federal funding for labour market programs through the Western Sydney Institute of TAFE has fallen by more than half. Following current trends, I can only assume that in the next Federal budget western Sydney will be targeted again by the Federal Government and will receive even less funding.

Numerous firms were awarded contracts that they cannot fulfil. Typically it was the firms with experience that suffered. An example of this is the Western Sydney Information Technology Centre, which is known locally as ITeC. This centre has a proud 10-year history of providing computer training and job placement throughout western Sydney. ITeC's excellent employment support programs were recognised when it won the 1997 Adult Learners Week Award for best provider. Last year ITeC assisted 2,000 unemployed people from Sydney's west, but this year John Howard has decided ITeC will not be awarded a contract under the new employment service regime. Tomorrow ITeC's current new enterprise incentive scheme contract ends. A press release issued by ITeC says it all:

The Chairman of Western Sydney ITeC, Mr Schon Condon said the Government—

that is, the Howard Federal Government—

has been true to form by taking a tough line with the more vulnerable members of our society—in this case the unemployed—and the community based groups which have done much to help them, while at the same time doing little to curb the excesses of its traditional constituency, the big end of town.

He got it in one! Along with ITeC, Skillshare centres across the west, which provide valuable

services to the unemployed, will also shut their doors today when Federal funding ceases. The Federal Government is going on a rampage in Sydney, turning its back on the unemployed. The people of western Sydney will suffer from these regressive changes to placing unemployed people in jobs. Mr Howard stands utterly condemned for his withdrawal of services from western Sydney.

### **Questions without notice concluded.**

## **CONSIDERATION OF URGENT MOTIONS**

### **Commonwealth-State Housing Agreement**

**Mr KNOWLES** (Moorebank—Minister for Urban Affairs and Planning, and Minister for Housing) [3.15 p.m.]: The urgent motion I seek to move is:

That this House condemns the Federal Government's failure to provide adequate levels of funding and certainty for social housing and joins with all State and Territory governments in their demand that the Commonwealth Government sign a new Commonwealth-State Housing Agreement by no later than 30 June 1998.

This motion should have urgency because today is the final day for all State and Territory governments and parliaments to record their support for the multilateral agreement developed by State and Territory governments for a new Commonwealth-State Housing Agreement. Urgency is required because today is the deadline for the submission to the Commonwealth Government of the multilateral and bilateral proposals that will form the basis of a five-year Commonwealth-State Housing Agreement.

Urgency is required because it is now appropriate for this Parliament to join with all other States and Territories in demanding that the Commonwealth respond to the State and Territory proposals by no later than 30 June. Urgency is required to demonstrate to the Commonwealth that all New South Wales parliamentary representatives are unanimous in their belief in the need to end the uncertainty that has surrounded CSHA negotiations for the last 2½ years and to provide a structure for the future of housing assistance across the nation.

Urgency is required also because once again it will give the New South Wales Opposition an opportunity to join with its conservative counterparts in other States and Territories in a rare display of unity and to add its support to this Government's efforts to provide for those people in our community who require housing and shelter.

**Knife Possession Penalties**

**Mr COLLINS** (Willoughby—Leader of the Opposition) [3.17 p.m.]: The Opposition's motion is far more urgent than the motion outlined by the Minister for Urban Affairs and Planning, and Minister for Housing. In three short years the Carr Government has seen crime rates jump to record levels. Bureau of Crime Statistics and Research figures released today would send a shock wave through the community. This Parliament must debate the alarming rate at which crime is escalating. The Government must tell us what it proposes to do about the soaring crime rate in this State.

Today's crime statistics put beyond doubt what the public has known for months: that crime rates under the Carr Government have gone through the roof, with the greatest increase being knife-related offences. Legislation designed to remedy that is still being debated in this Parliament. What is the Government doing? It wants to impose a paltry \$550 fine for possessing a knife. So much for getting tough on knife-related offences! The bureau's statistics—the Government's statistics—released today prove that crimes involving knives in this State are taking over from gun-related offences.

Yet, while this Parliament sits today and legislation governing changes to offences involving knives is still being considered, the Government seeks urgency to talk about Federal issues. The Opposition wants the debate brought on now. We want knife laws toughened up now—not next year, not after more deaths, not after more victims and more suffering, but now! Under this Government knife robberies have increased by 116 per cent and knife assaults have increased by 42 per cent. There are 266 knife crimes in this State every month, that is, nine per day or one every 160 minutes. This is the proof, this is the urgency, this is why the debate has to be brought on. The Government's own figures indicate that knife crime is out of control. These are not cases of 14-year-olds with butter knives; these are criminals with dangerous knives who target people like you and me, nine times every day. It is not only knife crime that has increased, assaults have increased as well.

**Mr Whelan:** On a point of order. Standing Order 120 is very specific about priority. It does not permit any member to range into debate. I have been very tolerant and have waited two minutes for the Leader of the Opposition to get to the point. I suggest that in view of the fact that he is clearly straying into the substance of his argument and not sticking to the issue of priority he should be asked to resume his seat.

**Mr SPEAKER:** Order! I uphold the point of order.

**Mr COLLINS:** The House is entitled to have some idea of the motion that the Opposition seeks urgency in relation to. I have made passing reference to that detail.

**Mr Whelan:** On a point of order. It is clear that the Leader of the Opposition does not know the standing order, which is very specific. He is limited to the issue of priority and I ask that you now draw his attention to that standing order and ask him to resume his seat.

**Mr SPEAKER:** Order! I again uphold the point of order.

**Mr COLLINS:** The matter is urgent because these statistics have been released since Parliament last sat. These statistics have been released in the past 24 hours. We did not have these statistics yesterday. They are hot off the Government press and that is why it is urgent. What better day to debate this issue than today, when the latest statistics are available. This is the day of their release. This is the day when, in another place, laws relating specifically to these statistics are under debate. There are a number of hot spots in Sydney. There are places in the Sydney community that are desperate to have an answer from this Minister.

**Mr Whelan:** On a point of order. I will be happy to debate crime statistics at any time, but the House will make that decision, not me. Mr Speaker, may I again draw your attention to Standing Order 120. It relates to priority. The Leader of the Opposition is straying into the substance of the debate and now resorting to geographical references. He is out of order. For the third time I ask that you direct him to resume his seat.

**Dr Macdonald:** On the point of order. There is nothing in Standing Order 120 that prevents the mover of the motion for urgency from going into detail. He is required to make a statement so that I can make a judgment at the end of his presentation as to the way I will vote.

**Mr Whelan:** Further to the point of order. I draw your attention to the words contained in Standing Order 120:

The Members giving the notices shall each be permitted to make statements of up to five minutes so the House may establish the priority of such matters.

I rest my case.

[Time expired.]



**Question—That the motion for urgent consideration of the honourable member for Moorebank be proceeded with—put.**

**The House divided.**

**Ayes, 46**

Ms Allan	Mr Markham
Mr Amery	Mr Martin
Mr Anderson	Ms Meagher
Ms Andrews	Mr Mills
Mr Aquilina	Mr Moss
Mrs Beamer	Mr Nagle
Mr Carr	Mr Neilly
Mr Clough	Mr E. T. Page
Mr Crittenden	Mr Price
Mr Debus	Dr Refshauge
Mr Face	Mr Rumble
Mr Gaudry	Mr Scully
Mrs Grusovin	Mr Shedden
Ms Hall	Mr Stewart
Mr Harrison	Mr Sullivan
Ms Harrison	Mr Tripodi
Mr Hunter	Mr Watkins
Mr Iemma	Mr Whelan
Mr Knowles	Mr Woods
Mr Langton	Mr Yeadon
Mrs Lo Po'	
Mr Lynch	<i>Tellers,</i>
Mr McBride	Mr Beckroge
Mr McManus	Mr Thompson

**Noes, 43**

Mr Beck	Mr O'Farrell
Mr Blackmore	Mr D. L. Page
Mr Brogden	Mr Peacocke
Mr Chappell	Mr Phillips
Mrs Chikarovski	Mr Photios
Mr Cochran	Mr Richardson
Mr Collins	Mr Rixon
Mr Cruickshank	Mr Rozzoli
Mr Debnam	Mr Schipp
Mr Ellis	Mr Schultz
Ms Ficarra	Ms Seaton
Mr Hartcher	Mrs Skinner
Mr Hazzard	Mr Slack-Smith
Mr Humpherson	Mr Smith
Mr Jeffery	Mr Souris
Dr Kernohan	Mr Tink
Mr Kinross	Mr J. H. Turner
Mr MacCarthy	Mr R. W. Turner
Dr Macdonald	Mr Windsor
Mr Merton	<i>Tellers,</i>
Ms Moore	Mr Fraser
Mr Oakeshott	Mr Kerr

**Pairs**

Mr Gibson	Mr Armstrong
Mr Knight	Mr Glachan
Ms Nori	Mr O'Doherty
Mr Rogan	Mrs Stone

**Question so resolved in the affirmative.**

## **LISTENING DEVICES AMENDMENT (WARRANTS) BILL**

**Suspension of standing orders agreed to.**

### **Second Reading**

**Mr WHELAN** (Ashfield—Minister for Police)  
[3.31 p.m.]: I move:

That this bill be now read a second time.

As the bill was introduced in the other place on 29 April, the second reading speech appears at page 19 of the *Hansard* galley proof for that day, and the bill is in the same form as introduced in the other place, I commend it to the House. I note that the honourable member for Eastwood has written a letter advising me:

Your staff organised for me to be briefed this morning on the savings and transitional provisions of the Listening Devices Amendment (Warrants) Act.

As a result, issues relating to that provision have been clarified for me and I am in a position to support the Bill in the Lower House this afternoon.

Yours sincerely,

I thank the Opposition for its support.

**Mr TINK** (Eastwood) [3.34 p.m.]: The Opposition supports the bill, which provides that listening devices may be removed after the expiration of the period of a listening device warrant. Retrieval of the device will be required as soon as practicable but no later than 10 days after the expiration of the warrant. An application may be made to a court for an extension of time for retrieval of a device, however the maximum period that can be specified in any one order is 21 days. During the extension period police will have the power to enter premises and retrieve a listening device but not to use it for recording purposes. A listening device may continue to be used. If further devices are issued in relation to the same premises, they will be deemed to have been installed pursuant to any such further warrant and the proposed requirements relating to retrieval apply to all subsequent warrants which may be granted.

The bill provides also that where an application has been made for an extension of time for retrieval of a listening device the person making the application must provide a written report to an eligible judge as well as the Attorney General. Yesterday evening, during private members' statements, the Minister for Police and the police commissioner requested to see me in the lobby. It was put to me by them that the bill affected significant operational law enforcement issues, and a request was made for the House to deal with it on an urgent basis. I indicated to them that I would do the best I could in relation to the matter. The Leader of the Opposition in the other place put a number of matters on record about the handling of this matter yesterday.

During the evening I did have some queries about the savings and transitional provisions proposed by schedule 1 to the bill, in particular new section 7(3), and sought from the Minister some further information in relation to them. At that time honourable members were in the middle of a fairly torrid debate on the knives legislation. This morning the Minister's staff made available to me an officer of the Attorney General's Department, a Ms Kay Leah, who was able to assist me with some queries I had in relation to that provision. I shall read briefly onto the record her advice to me, as I took it down: "The savings and transitional provisions, subclause (3), are intended so as not to jeopardise a warrant relating to a device in place or future warrants. Where there is a warrant on foot when the Act commences, it will apply to such a warrant."

The key point is that the provision is not retrospective. That satisfied the doubt I had in my mind and, accordingly, I indicated to the Minister that the Opposition would support the bill. Obviously, whenever a request is made by the police commissioner to deal with something urgently because significant operational law enforcement issues are involved, I will do my best to expedite the matter. At the same time, I have an obligation as the shadow police minister to do my best to scrutinise the legislation and determine whether there are any issues that need to be taken up. That is how the issue arose in relation to the savings and transitional provisions. Ms Leah now having provided that advice to me, I am satisfied, as best I can be. The Opposition supports the bill, given that last night the Commissioner of Police personally indicated to me that the matter is of great significance to law enforcement in this State.

**Mr KNOWLES** (Moorebank—Minister for Urban Affairs and Planning, and Minister for Housing) [3.38 p.m.], in reply: On behalf of the

Minister for Police I thank the honourable member for Eastwood for his contribution to the debate.

### **Motion agreed to.**

**Bill read a second time and passed through remaining stages.**

## **COMMONWEALTH-STATE HOUSING AGREEMENT FUNDING**

### **Urgent Motion**

**Mr KNOWLES** (Moorebank—Minister for Urban Affairs and Planning, and Minister for Housing) [3.40 p.m.]: I move:

That this House condemns the Federal Government's failure to provide adequate levels of funding and certainty for social housing and joins with all State and Territory governments in their demand that the Commonwealth Government sign a new Commonwealth-State Housing Agreement by no later than 30 June 1998.

Last Monday was a landmark day in the renegotiation of the Commonwealth-State Housing Agreement. State and Territory housing Ministers met in Adelaide, without representatives from the Commonwealth, and agreed on a framework for a new five-year Commonwealth-State Housing Agreement. If the agreement is signed by the Commonwealth it will provide guaranteed funding and clear directions for national housing assistance from 1 July 1999 at the cessation of the existing interim CSHA. This unprecedented meeting set a deadline of 30 June for John Howard's Government to sign up to the new agreement. The challenge is now set for John Howard to either sign the agreement or demonstrate his Government's total lack of commitment to national housing both in policy terms and in funding for shelter for those in our community most in need—the poor, the aged, people with disabilities and the homeless.

The uncertainty about the future of public housing and housing support programs has never been worse than it has been over the past 2½ years. There has been a real reduction of 39 per cent in Commonwealth outlays to the housing budget. There has been the added stress of no commitment of funding and no commitment to a new agreement beyond the current interim arrangements. This has meant a major downturn in the ability of the States and Territories to supply housing right around the country. In New South Wales it has meant a \$60 million cut in the past two Federal budgets; a downturn in construction and acquisition and head leasing programs from more than 4,500 units of accommodation to less than 1,900 units; an inability

to progress new initiatives with the private sector, particularly head leasing; lengthening waiting lists; and more than 170,000 people who, using the Commonwealth's own Department of Social Security criteria, face serious housing stress.

Against that backdrop it is understandable that the Government today seeks the support of this Parliament for the expression of anger and frustration by State and Territory Ministers, meeting in Adelaide last week, that the Commonwealth has not been forthcoming with an offer. When Ministers met Senator Newman in Sydney last month we were told that we would have to wait at least until September to get any response from the Commonwealth. It is on record that State and Territory Ministers rejected that position and that timetable as being hopelessly inadequate. We decided instead to impose a strict timetable upon ourselves. We decided that we would by the end of April get a plan to the Commonwealth. This has happened. All States and all Territories have been able to achieve in one month what the Commonwealth has been unable or unwilling to do for almost three years now.

The new multilateral agreement devised by the States and Territories succeeds the interim 1996 Commonwealth-State Housing Agreement and is designed to provide strategic direction and funding certainty for the provision of housing assistance across Australia over the five years from 1 July 1999. This agreement has been developed in the context of wide-ranging reforms to the management and delivery of housing assistance implemented by the States. Of course, those reforms will continue. The States and Territories recognise that they must work together with the Commonwealth to improve housing outcomes for those in need through better linkages between Commonwealth rent assistance and programs under the agreement.

A fundamental premise to the development of the new agreement by the States and Territories is that all Australians require access to housing that is affordable and appropriate. This is a necessary prerequisite to health, dignity and wellbeing and is a base from which Australians can participate equitably in the social, cultural and economic life of our nation. Importantly, the agreement focuses on those issues that require a whole-of-nation approach. It recognises the diversity of housing needs and situations that exist across the States and enables a bilateral agreement with each State to specify outcome areas, priorities and a mix of assistance measures to be achieved during the period of the agreement.

The State and Territory proposal for the multilateral agreement is for a base level of funding of \$975 million in the first year of operation, indexed and continued for five years. In addition, the States and Territories are to maintain their existing levels of financial assistance in real terms; there is an agreement for Commonwealth, State and Territory Ministers to report on a core set of nationally consistent outcomes to be published annually; bilateral agreements are to be established between individual States and the Commonwealth, incorporating specific targets and outcomes; and the performance of States is to be assessed annually against the bilateral agreements. Around the nation there is genuine concern about the failure of the Commonwealth to deliver certainty in housing funding and policy.

There is now a significant unmet housing need in each State and Territory as a result of the Commonwealth's failures. Capital and support programs have been thrown into disarray. It is simply not possible to operate on stop-start funding, as has been the case in the past three years, particularly when it is cast against the backdrop of the savage cuts that we have all experienced in the past two years. Equally, much-needed and oft-promised increases in Department of Social Security rent assistance payments have failed to materialise, they have never eventuated. Jocelyn Newman says that the Commonwealth will cut from the States and give to rent assistance, but in the past two years all we have seen is cuts from the States with no addition to private rent assistance through the DSS system.

During the past two years all States and Territories have continued within their own jurisdictions to deliver much-needed reforms. The effect is a much more targeted system of housing assistance which more efficiently allocates scarce resources to those in greatest need. However, without an overarching national agreement all of that work is little more than a waste of time. The draft CSHA agreed to in Adelaide last Monday is designed to stop the rot. It is now up to John Howard's Government to show its commitment by responding to the States and Territories by the end of June, not September—waiting until September would put housing into further disarray.

On any objective test there is no impediment to the multilateral agreement agreed to by all States and Territories being signed by the Commonwealth to allow us to get on with the important task of providing shelter and support for those in our community who need the assistance of their

government. I emphasise that this agreement and approach by all State and Territory Ministers is unprecedented. That the States and Territories have had to take matters into their own hands in this way demonstrates the complete lack of interest and lack of leadership by the Commonwealth on the crucial social issue of housing policy. The Federal Government has no policy and it has absolutely no interest in developing a policy. That is why the State and Territory Ministers have taken the reins into their own hands.

State and Territory Ministers have done all the work for John Howard. There can be no more excuses. The housing sector needs certainty and it needs funding. I point out that the development of the multilateral and bilateral agreements by all States and Territories, by governments of all political hues, and the process of development now raise a question for the New South Wales Opposition. Will the Opposition support its conservative colleagues in the other States and Territories in their demands for the Commonwealth to sign the multilateral and bilateral agreements that have been developed? Will it support the forwarding of those agreements to the Commonwealth Government today? Does it share the anger and frustration of all State and Territory leaders and all State and Territory housing Ministers at the lack of a funding offer or any sort of a plan from the Commonwealth for the future of housing?

Once again the New South Wales Opposition is presented with an opportunity to pin its colours to the mast of its choosing. If Opposition members fail to support this motion they will remain the only organised conservative force in this nation that does not support work done collaboratively by all States and Territories to put forward to the Commonwealth a sensible, rational plan, which, after all, is simply about providing support for the poor, the needy, the elderly, people with disabilities, the homeless—people who will always, under any model, require the support and assistance of their governments, no matter which party is in power and no matter who controls the cheque book. We have now waited 2½ years for Jocelyn Newman and John Howard to deliver a plan. To date all we have received are cuts to the order of \$200 million. There has been no additional funding in DSS rent assistance to compensate. Australia is facing a crisis in housing. State and Territory Ministers have put forward a real attempt to solve the problem. I urge the Parliament to support this motion.

**Mr DEBNAM** (Vaucluse) [3.50 p.m.]: What theatrics a few weeks apart! This matter is on the agenda again today because of the latest stunt from the Minister for Housing. Political blackmail is

taking place. A proposal has been sent by the States to Canberra and they are now waiting to see what comes back. As I have said before, the Minister has funding available until next year, but he wastes it. His ministry is a disgrace. He fails to acknowledge the real problems in public housing. He should get out of his ivory tower and visit the tenants and those on the waiting lists who are very concerned about what he has done to public housing.

We discussed mismanagement several weeks ago in a similar debate about public housing. This motion is a similar stunt to the stunt the Minister pulled two or three weeks ago. It is another example of the Fed-bashing that is evident in this Parliament every time the Government tries to divert attention from the real problems in New South Wales and in the Labor caucus. Both this motion and the last motion related to adequate funding for public housing. Bearing in mind the way the Minister manages the department, no funding would be adequate. He just does not have the ticker! The Minister does not have the resources to properly manage the department to achieve reasonable changes that will protect the interests of tenants, those on the waiting list and those of the wider community. I move:

That the motion be amended by deleting all words after "condemns" with a view to inserting the following words:

the Carr Government's failure to properly manage public housing in New South Wales in the best interest of tenants, those on the waiting list and the wider community.

Many members of Parliament have acknowledged that there are real problems in public housing.

**Mrs Grusovin:** Many of them from your side have never been on a housing estate.

**Mr DEBNAM:** If the honourable member for Heffron has never been on a housing estate, I will take her to some of the problem areas in her electorate, in the Minister's electorate and throughout the western suburbs. She should put some effort into finding out what the housing portfolio is all about. The Minister ignores the problems in public housing and the honourable member for Heffron could possibly get back on the front bench if she took a positive interest. I would welcome her participation. One of the Minister's colleagues, the honourable member for Bathurst, called on the Minister a few weeks ago to get rid of disruptive tenants. That subject has been under discussion for five months. I became Opposition spokesman for housing in November last year and my phone has not stopped ringing. Public housing tenants are absolutely frustrated—

**Mr Knowles:** You should answer the phone.

**Mr DEBNAM:** I do, If the Minister rings my office he has a good chance of catching me. I am sure if I rang his office I definitely would not be able to get him on the phone. My phone has not stopped ringing. Public housing tenants are frustrated in their interfacing with the Department of Housing and by the difficulties that surround them. Those difficulties are typically caused by other disruptive public housing tenants. The reality is that 99 per cent of public housing tenants want to live in peace and quiet, but a few disruptive tenants scattered throughout the public housing system cause real problems in the same way as a few disruptive members of Parliament cause problems. In December 1996 the Minister issued a paper entitled, "The Good Neighbour Policy". He also promised to review that policy and its implementation after 12 months. As of April 1998, nothing has been heard.

**Mr Knowles:** We have given you the freedom of information material.

**Mr DEBNAM:** The Minister has not given me a thing. He knows that because his office has been chasing up material in the last few days in the same way I have been chasing it up. Another failure in leadership! How can the Minister expect to lead the Government when he cannot lead his department? The Minister cannot deliver on basic promises that he has made in the last 18 months. Public housing tenants across New South Wales were delighted to get that document from him in December 1996.

If the Minister ever visited public housing tenants he would find that a large percentage of them have retained that document. Why? The honourable member for Heffron does not know why. Public housing tenants have retained the paperwork because they are surrounded by real problems and are depending on a promise from the Carr Government to deliver to them a better quality of life. What has the Minister delivered? He has delivered disruptive tenants about whom he refuses to do anything. He refuses to read the riot act to them as he said he would in his good neighbour policy. He has refused to evict the most disruptive tenants, as he said he would.

The Minister should not laugh about it; it is not a trivial matter to public housing tenants. If the Minister doubts my word, I will take him on a tour of the streets and the suburbs that have real problems. Bulldozing Villawood will not bury the problem and it will not fix it. As the Auditor-General noted, simply removing the structures will not address the social problems. The honourable

member for Heffron has a long history of talking about those sorts of problems. In the last few years I have not heard her addressing the problems in public housing estates but the tenants are still there and they have exactly the same problems. Tenants are crying out for help and clutching onto the Minister's paperwork from December 1996, but they know it is all for nought.

However, there is hope. There is only 10 months and three days to go before the Government is thrown out on its ear. Honourable members have read the article in the *Bulletin* that claims the Government is well on the way out the door. The only problem is that the Government wants to ditch the Premier but has no-one to replace him. Perhaps with a little help from the Opposition the Minister for Transport, and Minister for Roads can be coached in the next 10 months to improve his level of performance and build the confidence of his colleagues so that he can take over.

The Minister for Housing runs a distant second, but he has not really got a hope because he has not come to grips with the real problems in his portfolio. He stays in his ivory tower. Once again I ask the Minister to nominate a day, and I will change my diary and take him on a tour of the trouble spots around New South Wales. It would probably be easier if it was done in a day in Sydney. We could travel around the western suburbs of Sydney and speak to tenants who are crying out for help but are receiving nothing from his department.

Some tenants would be ashamed to hear that the Minister spent \$9,250 on a report to try to protect himself from genuine, constructive criticism by the Auditor-General. As I said in an earlier debate today whenever the Government is constructively criticised the immediate response of the Premier and his Ministers is a personal attack. That shows a lack of leadership and a lack of potential leadership. As the article in the *Bulletin* said, the Minister has not got the ticker. We should try to sort out one small problem, and that is the good neighbour policy. [*Time expired.*]

**Mrs GRUSOVIN** (Heffron) [4.00 p.m.]: I support the motion and remind members opposite that the motions deals with a substantive issue. However, today I have seen only an exposé of the bankruptcy of leadership on the other side of the House. The honourable member for Vacluse has not been able to put forward one word of policy, one word about where his party stands on this matter. As the Minister said, it is interesting to note that as the States approach this historic agreement

the honourable member for Vacluse is the only one who is out of step with the other conservatives. It seems from the honourable member's paltry words that if he had attended that meeting he would have been out of step with the conservative States. But surely he would not have played politics! His principles are far too high.

The honourable member for Northcott is furiously writing notes—I presume his contribution is to follow mine. If I were the honourable member for Vacluse I would welcome his colleague's help, although I would be aware that the help might be in the form of a heavy shove—the honourable member for Northcott carries a bit of weight—in an attempt to do something about the need for his party to address housing policy. The problems in public housing certainly need to be addressed, because the shadow minister has come forward with nothing. He said that this motion was a stunt. He claimed that it was blackmail, and he talked about what he could get back from the Feds. Does he really know what we are talking about in this debate?

**Mr Debnam:** Politics.

**Mrs GRUSOVIN:** No, we are not talking politics. We are talking about social justice for Australians who do not have a roof over their heads and who are inadequately housed. Earlier today the Leader of the Opposition opposed this motion being debated.

**Mr O'Farrell:** Because?

**Mrs GRUSOVIN:** Because the Leader of the Opposition wanted to talk about crime. That shows how much he understands the problems in society today. Why does he think there are such tremendous problems in the community with crime and unemployment for young people? One of society's most basic needs is to ensure that it functions well. Social justice must prevail in meeting that basic need. If it does not we should all put bars on our windows and doors as everyone else has done. If the coalition cannot address basic social needs for those who are less well off in our society, it will reap the whirlwind. That is what is happening. The honourable member and his leader have shown a fundamental misunderstanding and lack of understanding of what is required in leadership, as has their Federal leader, Mr John Howard.

**Mr Debnam:** You want to talk about leadership?

**Mrs GRUSOVIN:** I am here to talk about substantive matters. I am disgusted with what has occurred over past years under the Howard Government. John Howard has never understood that Thatcherism did not work; he is years behind the times. He has made no commitment to trying to understanding the matter. The honourable member for Vacluse may think that housing can work on a stop-start basis, but it needs to be provided in an orderly fashion. The honourable member should stand and fight for the people of New South Wales. This State has additional problems. It has the highest cost of housing in this country and has substantial social problems because the Government finds it difficult to provide housing. Expensive rents cause poverty. If the honourable member does not know what happens when poverty enters the picture I will tell him: it places further stress and strain on families. I am interested in the human side of this problem, but I am absolutely appalled by the performance I witnessed today from the honourable member for Vacluse—and it is the second one this month. As the shadow minister he is fundamentally flawed in delivering for the people of New South Wales.

**Mr O'Farrell** (Northcott) [4.04 p.m.]: I welcome the opportunity to participate in the debate about public housing. I welcome the opportunity to talk about the recent Adelaide meeting involving State and Territory governments and their attempts to blackmail and gang up on the Federal Government, as the honourable member for Vacluse has already said. The first question that comes to my mind is: given the amount of succour and endorsement that the Minister for Housing took from that meeting, can he tell the House whether he supports the housing policies he mentioned in his motion? Does the Minister support the housing policies of the Victorian, Western Australian or South Australian Governments? No, he does not. The reason he does not is because in their attempts to deal with the enormous legacies left to them by Labor governments those States have to wind back on public housing.

**Mr Knowles:** That is not quite true.

**Mr O'Farrell:** Yes, those three States are winding back their expenditure on public housing, yet the Minister has used them in a bizarre way to back his call for greater Federal participation in housing. Of course, that bells the cat: State governments are not prepared to accept their responsibilities in the provision of public housing. I agree with the honourable member for Heffron: this

is a social justice issue. I agree with the Minister for Housing: this is about the poor, aged, disabled and homeless. However, if the Minister and the honourable member cannot understand that this is also about the mismanagement issues raised by the honourable member for Vacluse, something is wrong.

I will give two examples of public housing problems in my electorate which may surprise the Minister. In my electorate people have been on public housing waiting lists since 1988, and that is a source of great frustration. An even greater source of frustration is the fact that houses and units have been left empty for as long as 12 months. On each and every occasion I have drawn this to the attention of the department, it has responded with, "Oh, we forgot." That is precisely the sort of mismanagement that is having an impact on social justice in our community. It is precisely the sort of mismanagement and lack of experience that is keeping people out of the public housing market.

I listened with great interest to the honourable member for Vacluse, who raised the good neighbour policy. Every time housing tenants in my electorate have attempted to use that policy they have been thwarted by the Minister's Ryde office, which will never live up to the promise made by the Minister in his press release, and which is contained in his document. If that sort of mismanagement and lack of action is meant to increase social justice, then the Minister is not fit to lead the Labor Party next year. It would be a disgrace if someone with that approach to social welfare took over.

In each of the three budgets delivered by the Government the budget papers have revealed that State revenue from taxation has increased by \$1 billion. If the Minister was effective or concerned about this issue, a significant slab of that money would have been redirected into public housing. But it has not been so directed, because the Minister is neither effective nor committed. He is prepared to sit at the Cabinet table and let Ministers with other portfolios take the lion's share of that increased taxation revenue. In this debate there are substantive issues and the Minister should get to them. He should stop grandstanding, stop posturing and stop the pretence of endorsing the Liberal State governments' housing policies, which he alleged are anathema to him. He should stop trying to hide the problems of the Government in this and every other area under an umbrella of alleged opposition within the community to the policies of the Howard Government.

The Howard Government will be re-elected at the next election. The Minister will have to deal with a new Government towards the end of this year, the second Howard Government. That Government will not be blackmailed by this Minister when it knows that it has community support for cleaning up the Labor deficit. Unless the Minister cuts a deal, he will not address substantive issues, and will not make life easier for the poor, aged, disabled and homeless in this State. He will be out if he ignores his responsibilities and continues down this path, which clearly, on 27 March next year, will take him into oblivion and deprive him, I suspect, of an opportunity for leadership.

**Mr LYNCH** (Liverpool) [4.09 p.m.]: Public housing has underpinned the development of Australia as a society for many years, especially since the end of the Second World War. It is, to use a phrase bandied about in this debate, a key element of social justice in our society. Public housing has not always been described in terms of social justice but that is what it is. A key element underpinning the significance of public housing in the community has been the Commonwealth-State Housing Agreement—the CSHA—which has existed for about 50 years, since the late 1940s. I note the presence of the honourable member for Hurstville. In a previous debate on housing he made the point that the CSHA had survived Menzies, Holt, Gorton, McMahon and even Fraser. However, it does not look like it will survive Howard. Public housing cannot be provided without CSHA funding. The provision of public housing is not merely a matter of rhetoric of changing a budget item or a policy.

The lack of Federal funding is a substantial and serious onslaught on the fabric of our community in terms of the way public housing is provided, and it is a key assault on the fabric of communities in Australia and western Sydney in particular. As I said, the provision of public housing involves considerably more than simply changing a budget item. The Commonwealth Government has adopted this attitude for two reasons. First, it has an ideological obsession about the public sector. The ideologues running the Federal Government are of the view that the public sector, which is effective, cannot provide public housing; as a matter of logic and commonsense that simply cannot happen. That ideological obsession is underlying the Federal Government's decision to rip \$200 million from the national housing budget. Second, the Tory parties in Australia have absolute contempt for those who want to reside in public housing.

**Mr O'Farrell:** Talk to my tenants.

**Mr LYNCH:** The honourable member says that I should talk to his tenants. He well knows that I talk to his tenants, because they ring me to complain about the way they are treated by the honourable member's staff.

**Mr O'Farrell:** That's a lie.

**Mr LYNCH:** It is not a lie. I can produce a file of detailed staff notes about the calls. Clearly, it is incongruous for the honourable member for Vacluse to be the opposition spokesman for housing. That incongruity was made obvious by the lack of substance in the honourable member's contribution to the debate. Interestingly, the honourable member for Northcott issued an invitation to Government members to visit the Department of Housing tenants in his electorate. Implicit in that invitation was an assumption that we do not deal with Department of Housing tenants because they are beneath our dignity, and we must be invited to visit them.

**Mr Knowles:** Come down from Bellevue Hill.

**Mr LYNCH:** The Minister is right. That may be the attitude of those who live in Vacluse but it is not the attitude of those who live in Liverpool.

**Mr Debnam:** On a point of order. I take offence at that personal abuse. The honourable member for Liverpool is offending people across New South Wales, many of whom live in public housing. He has offended people in my electorate and he has certainly offended me. I ask him to apologise.

**Mr SPEAKER:** Order! There is no point of order.

**Mr LYNCH:** The comments of the honourable member for Vacluse offended Department of Housing tenants, whom he regards as inferior to him. They will not deal with him unless he issues a special invitation. The Minister for Housing and other Labor members grew up in public housing areas and have lived there for many years. We belong there; public housing tenants are our people. The honourable member for Vacluse perceives that somehow he is different from the rest of us, that he is superior because he needs a special invitation to visit Department of Housing tenants. I find that offensive.

That indicates the honourable member's attitude to Department of Housing tenants and explains why his contribution was insignificant. The honourable member referred to the good neighbour policy and the problems associated with evicting tenants. Obviously, the honourable member for Vacluse and the honourable member for Northcott,

who made similar comments, have little knowledge of Department of Housing operations. I could name half a dozen cases in which tenants in my area have been evicted because they were bad tenants.

**Mr KNOWLES** (Moorebank—Minister for Urban Affairs and Planning, and Minister for Housing) [4.12 p.m.], in reply: I thank honourable members for their contributions to the debate. The honourable member for Vacluse demonstrated once again that he has no plan and no ideas. He also demonstrated that there is no hope for Department of Housing tenants if he ever takes charge of public housing in New South Wales. I endorse the point made by the honourable member for Liverpool that the visit to the good people of Claymore by the honourable member for Vacluse, who came down off Bellevue Hill, and by the charlatan in the other place, the Hon. J. F. Ryan, was a bit rich. Public housing tenants in Claymore can spot phonies when they see them, and they spotted the honourable member for Vacluse and the Hon. J. F. Ryan as phonies.

**Mr Debnam:** On a point of order. The Minister should be responding to the debate; instead, he has reverted to typical Labor Party abuse. Such abuse means nothing and the Minister has contributed absolutely nothing.

**Mr SPEAKER:** Order! There is no point of order.

**Mr KNOWLES:** The contribution of the working class hero, for which I thank him, was little more than diatribe of the kind we get from members who do not have a clue. I look forward to hearing from members opposite at some stage about where they stand on these issues. In the last year of the coalition Government the Residential Tenancies Tribunal dealt with 31 cases of eviction of nuisance and annoying tenants. In one year of this Government the RTT received five times that number of cases for eviction of nuisance and annoying tenants. More importantly, under this Government more than 3,000 cases to the RTT—

**Pursuant to standing orders business interrupted.**

## PRIVATE MEMBERS' STATEMENTS

### MAY DAY CELEBRATIONS

**Mr MILLS** (Wallsend) [4.15 p.m.]: I shall inform the House about the May Day celebrations taking place over the next two days in the Labor heartland of the Hunter region, including the electorate of Wallsend. In so doing I follow my



good friend and colleague the honourable member for Keira, who told the House on Tuesday about the celebrations taking place in the Illawarra. Indeed, the honourable member will be a guest speaker at the toast and May Day dinner. This year's May Day celebrations in the Hunter will be the 105th consecutive celebration in Newcastle and the Hunter of the achievements of the Australian working class and workers in the Hunter in particular.

I pay tribute to the work of Mary McGill, president of the Newcastle Trades Hall Council; Peter Barrack, secretary of the Newcastle Trades Hall Council; and the May Day committee, which comprises people from the Trades Hall Council. I pay a special tribute to Steve Wilson and Paula Kingston, who have done much of the organising. I commend them for what they have done in advance to ensure that this year's celebrations are successful. The principal supporters of the May Day celebrations include the Newcastle Workers Club, the Newcastle Trades Hall Council and affiliated unions, and the Workers Cultural Action committee.

The celebrations kicked off on Sunday, 19 April, with the traditional picnic. The picnic is normally held at Richley Reserve at Blackbutt in the Wallsend electorate. However, because of the waterfront dispute the site was changed this year, so that the 300 or 400 people peacefully assembled outside the gates at Newcastle docks at Carrington could enjoy themselves and spend time with their families while at the same time expressing their solidarity with the sacked MUA workers. Tomorrow night there will be a happy hour at the Newcastle Workers Club. A key activity of the celebrations will be the toast and May Day dinner at Newcastle Workers Club tomorrow night. The assistant secretary of the Australian Council of Trade Unions, Greg Combet, is the guest speaker.

I guess I will not hear the guest speaker because I will be late. The monumental clash of all time will occur between the toast and May Day dinner and the Newcastle Knights-Brisbane Broncos rugby league match. Some people will choose to go to one event and turn up late to the other. I trust the May Day dinner will be a successful evening. This year that dinner acknowledges the fiftieth anniversary of Newcastle Workers Club. That club has been a great location for the trade union movement and the Newcastle Trades Hall Council for trade union and work-related activities in the Hunter region.

A competition for primary and secondary school students is held these days and the second major feature is the march on Saturday. The theme

of that march is "Defend the rights of all workers". Of course, the maritime union will have pride of place in that march, which I expect will be bigger than ever. A Greek dinner-dance will be held on Saturday night presented by the Hellenic League, and other activities will be held during May. I have outlined the main features that will be honoured on the May Day weekend.

I have referred to the maritime dispute. I trust that the May Day activities will be an important occasion at which donations will be sought to assist an appeal launched last week by me, representing the Federal member for Shortland, Peter Morris, and by Peter Barrack, the secretary of the Newcastle Trades Hall Council. That appeal is to help the families of sacked Patrick stevedore employees, which number more than 600 in the Hunter region.

Perhaps the primary innocent victims of this dispute are the dependent families of those 1,400-odd sacked maritime workers around Australia. Time must be taken to consider their needs. Families have been hit by the action taken by Patrick and have been forced to take out personal loans, to borrow from families, and to negotiate to extend mortgages. Wives have been looking for work to meet financial obligations. Workers were not paid for the last two weeks they were on duty. So far they have had no pay for six weeks.

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [4.20 p.m.]: I congratulate the honourable member for Wallsend on his contribution about what will be an historic May Day celebration in Newcastle. The honourable member for Gosford can snigger; he was probably brought up in a more conservative and affluent home than many people, like me, who came from working-class families. He probably has no idea what I am talking about.

The May Day celebrations are an institution in the Hunter region. Those celebrations were started over the years by industry and unions generally, particularly mining and maritime unions. Those unions are the yardstick by which industrial cities are judged when people tamper with unions, which is what the Howard Government is presently doing. If the Howard Government thinks it has made an impression on the Hunter region by its recent action, it is very much mistaken.

I come from a working-class background. My father was an official of a moderate union, the meat employees union. Nevertheless, in times of adversity, regardless of where a person sits in the

work spectrum, people in the Hunter always unite. That has never been more obvious in my lifetime than in the past six or eight weeks in Newcastle when workers were summarily dismissed for no other reason than holding a union ticket, a practice I thought had long since ceased in this country.

The Newcastle Workers Club is to be congratulated also on celebrating its fiftieth anniversary. It had the wisdom to obtain a registered club licence even before poker machines were introduced. That club has been very much a mainstay of the industrial union movement of the district. I will be attending the functions on Saturday and marching with the United Mineworkers Federation Pipe Band. Of course, the honourable member for Gosford will snigger again because he has absolutely no compassion for workers and no feelings for anybody.

### TRICYCLE TOURISM

**Mr HARTCHER** (Gosford) [4.22 p.m.]: Entrepreneur Mr Blackwell from the central coast wants to develop a tourism business, yet he is being frustrated by the bureaucratic red tape of the Department of Transport and the Roads and Traffic Authority. He seeks to establish a business known as Austrikes to take tourists around the scenic and beautiful areas of the central coast on three-wheeled motor tricycles. Earlier this year he sought accreditation in time for the annual motor show at Mount Penang.

The Department of Transport advised him that this three-wheeled vehicle was a motorcycle. This decision was based on 1997 RTA guidelines. If a vehicle is classified as a motor cycle, passengers are required to wear helmets and the vehicle must travel at certain speeds and observe certain requirements. This requirement obviates and minimises any value such a vehicle would have for the purpose of carrying tourists. Accordingly, Mr Blackwell seeks to have his three-wheeled vehicles classified as motor cars, which will enable him to use them for tourist purposes.

Mr Blackwell took his Austrikes to the Woy Woy Roads and Traffic Authority office in accordance with its advice and was granted accreditation by that authority to classify his vehicles as motor cars. The registration certificate was dated 17 March 1998. Accordingly, on his behalf I approached the Department of Transport to explain that after protracted negotiations the Roads and Traffic Authority had registered a number of these vehicles in the motor car category.

The reason the RTA registered the tricycles as a vehicle was that Mr Blackwell was able to provide evidence to show they complied with Australian design standards. Despite registration by the Roads and Traffic Authority, the Department of Transport still refused to issue accreditation for the tricycles. Accordingly, the tourist business Mr Blackwell hoped to establish has not got off the ground.

No-one denies that it is important for government authorities to maintain road safety, but it is also important that the tourist industry is viable, especially on the central coast since it has always been famous as a holiday area and continues to develop tourism as one of its major industries. To have two government departments contradicting each other on the same issue and accordingly preventing the successful operation of a small business demonstrates that the Government simply has not got its act together.

The tricycle cannot be a motor vehicle for one government department and a motorcycle for another. Unfortunately, instead of this matter just being about bureaucratic incompetence, a registered business known as Austrikes is unable to operate. I appeal to the Minister for Transport, and Minister for Roads to examine closely the two departments within his ministry, that is, the Roads and Traffic Authority and the Department of Transport, and have them determine a standard for these three-wheeled vehicles.

Are these vehicles to be treated always as motorcycles or is the Minister prepared to allow them to be registered as motor cars, which his Woy Woy office has done. The vehicles comply with Australian design rules in many categories. Mr Blackwell has provided me with a list of those rules, which cover more than a page. It appears that he has satisfied every reasonable requirement to establish his business, yet he is frustrated by the operations of the bureaucracy.

This bureaucratic attitude does nothing to help small business or to encourage tourism development. Such a narrow attitude is antibusiness and ineffectual government. Governments must act responsibly by developing clear guidelines governing tourism. On behalf of Mr Blackwell and the people of the central coast, I ask that the situation be remedied. [*Time expired.*]

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [4.27 p.m.]: I will refer to the Minister Transport the honourable

member for Gosford's representations about Austrikes and that organisation's concern about the different interpretations it has received from the Department of Transport and the Roads and Traffic Authority. It could well be that a safety issue is involved. As Minister Assisting the Premier on Hunter Development, I endeavour to assist and promote small business. Difficulties arise when people do not accept the department's interpretation. They try to blame others or say that it is not fair and want to have the rules relaxed. That may not be the case in this instance. The honourable member for Gosford said that the government departments are bureaucratic and give different interpretations.

I remember a very similar incident about five years ago during the time when Bruce Baird was Minister. I can appreciate the honourable member's frustration because I could not get anywhere under that administration. It must be something common to both governments because the incident I refer to involved quite a difference in interpretation over the aspects of design standards for a vehicle that was to be used for a specific purpose. Obviously nothing has changed in five years because I was getting similar responses. Quite frankly, I do not think the fellow ever solved the problem. I must say that he had a very broad view of what should and should not be allowed because it suited his particular business. However, as the honourable member said, it is of concern because it is preventing a small business from progressing and it would advantage tourism. I will refer it with some urgency to the Minister for Transport.

#### **TRANSRAPID HIGH SPEED TRAIN PROPOSAL**

**Mr SULLIVAN** (Wollongong) [4.29 p.m.]: I pay tribute to a group that has put forward a proposal for a high-speed train linking Sydney with Canberra. The Transrapid group put forward a proposal based on magnetic levitation. The train route would be via the Illawarra, up through the Southern Highlands to Goulburn and on to Canberra. It involves possibly the most advanced technology available at this stage and is designed for the twenty-first century, when this train will begin operation. Transrapid was accredited and certified for revenue service in Germany in 1994 and has been selected to link Hamburg with Berlin, a distance comparable to the distance between Sydney and Canberra. The system is very reliable and, as I have said, it has been functioning on a 32-kilometre demonstration track near Hamburg for a number of years.

Transrapid's design specification calculates that it is 20 times safer than flying, 200 times safer than

travelling by train and 700 times safer than travelling as a passenger in a car. The cost would be of the order of \$4 billion but it will make positive contributions to regional development within this State, specifically within the Illawarra, the Southern Highlands and the Goulburn area. It is anticipated that the service will attract a significant number of passengers from both air travel and road travel. The estimated time of travel between Sydney and Canberra will be reduced to 59 minutes. That is a direct service. If the train stops at the suggested stopping points of Mascot terminal, Heathcote, Wollongong, Moss Vale and Goulburn, the travelling time will be 72 minutes. That is faster than one can travel between Canberra and Sydney from points within the central business district of each city. It is certainly faster than one can travel by air.

Transrapid is environmentally friendly and environmentally sustainable. It has a very low noise level and is designed in such a way that existing land use, particularly farming and other uses, can continue because the track is mounted above ground level, varying from 1.2 metres to 20 metres. It is capable of travelling on inclines of one in 10, which the present system of steel on steel rails is incapable of doing. I suggest that this proposal is the best option for the committee that is assessing this proposal. That committee includes representatives from the New South Wales, Australian Capital Territory and Federal governments, and the Victorian Government also has an interest. I want to place on record some brief facts relating to the trial program in Germany.

Paying passengers have been carried at Transrapid's demonstration track in Emsland in north-west Germany since 1994. More than 150,000 passengers have travelled in excess of 10 million passenger kilometres. Approximately 12,000 new passengers are carried every month and the waiting list to travel on the train is more than one year. It has certainly captured the imagination of people in Europe. I believe it is the way we should be travelling in Australia and certainly the New South Wales Government has expressed interest in the high-speed train proposal. I believe we should adopt this advanced technology to take us into the next century effectively. I wholeheartedly support the proposal which will benefit the Illawarra region.

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [4.34 p.m.]: The honourable member for Wollongong can be relied upon to raise any and every matter that is in the best interests of the Wollongong area. I thank him for his

contribution and I will refer the matter to the appropriate Minister. I know it is under active consideration.

### JERILDERIE HOSPITAL

**Mr SMALL** (Murray) [4.36 p.m.]: Tonight I wish to express my support for the people of Jerilderie, which is in the electorate of Murray, in their desperate efforts to maintain Jerilderie's hospital and health services. I also express my admiration for the 48 members of the local community who today travelled from Jerilderie to Sydney by bus, a journey of 9 hours. The Deputy Premier, and Minister for Health has been able to meet with the Mayor of Jerilderie, Kevin O'Neill; Barry Sherritt, secretary of the health committee; Jean John, the wife of Jerilderie's new doctor; and Ruth McCrae. They are doing a marvellous job and Jerilderie now has a doctor which it has not had in almost 12 months since the previous doctor left.

When they spoke to the Minister for Health, all four put a very strong case for improved health services for Jerilderie. Their principal objective is to be able to maintain the hospital. At the moment Dr John does not have visiting medical officer status at the hospital, and that has presented a serious problem. He has emergency visiting rights and visiting rights for the town of Finley, some 40 kilometres away. However, that is not good enough for Jerilderie which has a population of 1,000 residents, plus those within the surrounding agricultural areas. Once again I express my admiration for the Jerilderie community who have put their case forcefully. They have indicated to the Government that they will be content with a multipurpose service, but until recently they have been unable to get a response. I understand that the Minister for Health has made application to the Federal Government for approval for recurrent funding for aged care beds through the multipurpose service.

It is important for the hospital to be able to provide emergency services, to have acute-care beds and long-stay, nursing home type beds. The Jerilderie Hospital has functioned for more than 100 years. It received a major upgrade in 1988, so very little money needs to be spent. The hospital has an ambulance service and a day care community facility, so I am not asking the Government or the Minister to allocate a lot of money. Just this week the shire council passed a resolution that it contribute funds towards alterations to the building to provide a multiservice facility. One must admire the spirit of country people as demonstrated by what they are doing at Jerilderie.

I hope that the Deputy Premier, and Minister for Health, through the Greater Murray Area Health Service will help the Jerilderie shire to obtain a multiservice health facility, with the approval of the Federal Government, for those long-stay beds. Over the past 12 months the people of Jerilderie have organised a committee which meets every week. They have gone through every avenue to get help from the Greater Murray Area Health Service, from my colleague Tim Fischer, the Deputy Prime Minister, and me. Their big win was when they got Dr John and Mrs Jean John to come to the town, even though they do not have visiting rights at the hospital. I admire the Johns for coming. They have generated a huge amount of warmth in the community with their professional attitude.

The people of Jerilderie deserve to achieve success. They are not asking for a lot. They want the stability of having genuine health services in a town of approximately 1,000 people. The town is located on the Newell Highway, where many accidents occur as a result of heavy truck movements through the area. As Jerilderie is a farming community there is always the risk of accidents. Therefore, the people of Jerilderie deserve to get the multipurpose health facility and visiting rights for the local doctor they are seeking. I commend this request to the House and to the Deputy Premier, and Minister for Health. I thank the Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development for his attention and I hope that he will refer my comments to the relevant Minister. [*Time expired.*]

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [4.41 p.m.]: I will refer to the Deputy Premier, and Minister for Health the comments of the honourable member for Murray about Jerilderie Hospital as additional information to the deputation he received today. I agree with the honourable member that this is an important part of the State. I have visited the electorate on several occasions and I have had the pleasure of visiting Jerilderie. I will make sure the honourable member's remarks are sent forthwith to the Deputy Premier, and Minister for Health.

### CESARE STEFANATO

**Mr STEWART** (Lakemba) [4.42 p.m.]: Last week I was proud to have the opportunity to launch a very special autobiography entitled *Boccia, The Boy Partisan*, a book written by Mr Cesare Stefanato, who is a resident of Belmore within my electorate. In the northern Italian dialect "Boccia" means little child or little kid. The book is an

extraordinary story written by a remarkable and special person. Cesare Stefanato was born in 1932 in the little Italian village of Meduna di Livenza, which is near Venice. Cesare came from a large family of 10 children. At the age of 11 Cesare, through a twist of fate, was thrust into the Italian partisan movement. That happened when he was walking home along a dirt road after a long day's work on the farm. He had to pass between two SS guards. As he walked between the guards they shouted to him to halt. Of course, he did not understand German and he did not halt. They shot this 11-year-old boy through both legs.

Cesare was near his home; his mother came running out and in the confusion and noise found him lying on the road bleeding profusely. When his mother tried to intervene one of the SS guards attempted to shoot her. Cesare noticed a machine gun against an SS motorbike. He grabbed it quickly and shot both SS army officers and saved his mother's life. Partisans who were nearby heard the commotion and realised that if Cesare went back to his parents they would be at risk for the duration of the war. For the rest of the war Cesare spent his time with the Italian partisans.

After the war Cesare returned to his family and farm life and in 1952 he met his beautiful wife, Bruna. After Cesare and Bruna's marriage in 1955 they travelled to several European countries, finally settling in Britain where Cesare took up a specialist job with the Fiat motor company. In 1971 that company transferred him to Australia, fortunately for us. Cesare and his family established themselves at Belmore in my electorate, and have made that their home ever since.

In 1995 Cesare met up with his old friend and past neighbour, Jean Clay, secretary of the Belmore sub-branch of the RSL. Jean was inspired by Cesare's achievements as an Italian partisan and talked Cesare into joining the RSL. There Cesare met others who inspired him and encouraged him to tell his story. That is what he has done. He has written a beautiful autobiography which explains the impact on him of the partisans, growing up in Italy, and coming to Australia as an immigrant. It has to be understood that at the tender age of 11 Cesare was ripped away from the boyhood world he should have enjoyed. For the next two or three years he was forced to face the brutal reality of war and the death and destruction that surrounded him.

As I said, "Boccia" means little boy, and it is through the eyes of this little boy that one learns about the horror and futility of war. Cesare, the boy partisan, is faced with the senseless destruction of

human life. That is very hard to comprehend at any age, but at the age of 11 or 12 he experienced this almost every day. Between 1943 and 1945 an estimated 70,000 Italians were killed by the Germans. Of that number 20,000 were partisans. Cesare Stefanato, with the help and guidance of what he describes in his autobiography as his guardian angel, somehow managed to survive the carnage and destruction that surrounded him. Perhaps it was fate, so that his special and remarkable story could be told to future generations to enable them to learn and understand more about the human struggle, the will to survive and the utter hopelessness of war.

*Boccia, The Boy Partisan* is a story of the triumph of the human spirit and a celebration of life. After reading the book I am truly inspired and humbled by a common man who is great amongst us all. Mr Cesare Stefanato was in the gallery this afternoon. Through his book Cesare has provided our present generation with an important and much-needed foundation stone that will, if people are prepared to listen, help in the quest towards peace and harmony now and in the future. I congratulate Cesare on this remarkable achievement and thank him for the beautiful gift of his autobiography—written in simple but compelling words which will have great meaning for present and future generations.

I conclude by offering special thanks and recognition to Ms Rosanna Zarro, who helped Mr Stefanato write this book, and Jean Clay and John Casey from the Belmore RSL, who provided instrumental support to Cesare, and to the many members of the Belmore RSL who supported Cesare and gave him the inspiration to complete this wonderful work.

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [4.47 p.m.]: I congratulate the honourable member for Lakemba on bringing this interesting contribution to Parliament this afternoon. Too often interesting things in people's lives which could be important for others to reflect on are lost by their passing or the failure to write things down. This book recounts some important experiences which probably would never have come to light if Mr Stefanato had not been encouraged in the way he was. I know the contribution that the Belmore RSL has made in this regard and I congratulate the members of that club. It is worth noting—and last Anzac day when I was about to proceed on the march I noticed it myself—that in recent years various allies have been recognised as having played a part, especially in the

second world war. I congratulate Mr Stefanato on behalf of the Parliament. The remarks made by the honourable member for Lakemba today will remain on the public record forever.

### ST GEORGE DAY

**Ms FICARRA** (Georges River) [4.49 p.m.]: I give tribute to all those community groups and residents in the St George area who have contributed every year towards celebrating St George Day on 23 April. The cash collected this year will benefit the coronary unit at St George hospital. On one day more than \$30,000 was raised, which will be put towards purchasing a new cardiac telemetry unit, costing more than \$90,000, for the St George Hospital. This equipment is designed to hasten the recovery of patients from myocardial infarctions and coronary operations. Most of the money was collected from the sale of St George Day badges and other fundraising events such as the police and community charity golf day and the St George Hospital autumn fair. I commend Mr Johnny Raper, the chairman of our St George Day committee, for his sterling efforts over the past two years. Mr Raper will be stepping down as chairman, after having served in that role for two years. I am delighted to be able to record some of the speech he made on the official launch of St George Day on 23 April, when he stated:

What is special about today is that we are doing something as a wider community, amongst people who care about the same [things as we do]. In simple terms, today we bring together, as you know, the three St George councils, Hurstville, Kogarah and Rockdale, with our magnificent hospital, to do something which is important to us oldies, and, hopefully, still important to the young.

We are here to celebrate a sense of pride and spirit about everything that is good in our region. Today is the day when we all show our true colours. The famous Red and White. It's a different sort of celebration from those pioneering days many years ago.

There was a time when the only road south from Sydney was through Enfield. That road today is basically what we know as Forest Road.

But it was important, way back then, in the 1840s, for opening up this wonderful St George region to new settlers. Then we got the railway line. And there was even a tram service once. Eventually replaced by trolley bus. And one of the great triumphs of this region, was that we didn't wait for Sydney to give us electricity.

All the councils joined together in 1920 to form the St George County Council, the first in Australia. And it's been firsts ever since. There are many things that have distinguished this region in such a way that you never need an invitation to wear the Red and White.

When someone asked me to chair the St George Day Committee, I was only doing what thousands of sons and

daughters of this area have done in the past to make it great. I was simply dedicating my time and yours to reminding people that we shouldn't take for granted the great opportunities that we enjoy by living here.

I can remember the first time I pulled on the Dragon's football jersey. I never believed I'd be good enough to play for St George. Then I remember the first time I won in that jersey. And then, it was winning a lot of games. And then the thought of winning the Premiership. And then, as you know, the challenge to make history. And out of this little district was born 11 successive Rugby League Premierships.

Out of this district came Norm Provan, Reg Gasnier, Ken Kearney, Kevin Ryan, Ian Walsh, Billy Smith, Graeme Langlands, John King, and the families of the late Brian Clay and Bill Wilson. There were stacks of others. And once in the Red and White, you became part of a special family.

Out of this district came the nucleus of some of the great Australian rugby league sides in the history of the game. [And a multitude of great sportspeople from other sporting codes within the area—cricket, union, Aussie Rules, soccer, swimming, cycling, basketball, netball, athletics, tennis, snooker, car racing, and the list goes on and on.]

I am proud that St George gave me a chance to be part of all that. Of course, it was different then. I hope people play today because they love the game. I hope it's not just for money. Because today we are celebrating things that money can't buy—pride, spirit, friendship, loyalty, support for one another. You can't buy those things. We loved being part of St George. There was never any suggestion we'd want to be anything else. We'd play on Saturday. We'd do nothing till Tuesday training. Then we'd train again on Thursday. There were no videos. No Pay TV. If we wanted to practise a move, we'd practise it against reserve grade.

Johnny Raper went on to welcome all the newcomers to the St George region, particularly our newly arrived multicultural society, and in particular the Lebanese, the Middle-Eastern community and the Chinese immigrants who have come to the area. Indeed he has been proud to be the chairman of the St George Day committee. He has done a great deal for our area and for league. He is a great sportsman and a great statesman for the State.

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [4.54 p.m.]: I congratulate the honourable member for Georges River on her words about the St George Day celebrations this year. It is true that the community of St George has made marvellous achievements over the years by clubbing together. No better example of its spirit is found than in the Police and Community Youth Clubs. St George, as the old Mortdale site, was one of the first of seven major clubs to be set up in the city. I had a great deal to do with the side in my time on the council of management, and later as chairman. Two distinguished people to come out of the club have been former Commissioner of Police Cec Abbott

and George Willis, who has given nearly all his life to the Police and Community Youth Clubs. That is how the police and community golf day became linked with St George Day. I congratulate the region on the money it has made available to the St George Hospital.

### EAST TIMOR

**Mr LYNCH** (Liverpool) [4.55 p.m.]: This evening I draw to the attention of the House a matter of considerable importance to me, many of my constituents and many people in this country. I refer to the current situation and potential human catastrophe in East Timor. My attention was drawn to the seriousness of the situation at a meeting held in this building on 8 April. The meeting was attended by Mari Alkatiri, the representative of the East Timorese resistance in the Commonwealth of Portuguese-speaking countries, and several parliamentarians, including myself, the Hon. Dr Meredith Burgmann, the Hon. Ian Cohen, the Hon. Richard Jones, Hon. Janelle Saffin, the Hon. Ian Macdonald and the Minister for Local Government. Mr Alkatiri has a very distinguished career in the East Timor resistance and Fretilin. I direct those who are interested to the various references in James Dunn's book *Timor; A People Betrayed*.

Mr Alkatiri was a founding member of Fretilin. He was the Minister of State for Political Affairs in the Government of the Democratic of East Timor—DRET—which was proclaimed in late November 1975. Shortly after the DRET Government was formed three Fretilin leaders, including Mari Alkatiri and Jose Ramos Horta, flew to Darwin to begin the diplomatic struggle for the then newly proclaimed state. Also present at the meeting were representatives and supporters of East Timorese people who now live in Australia, many of whom live in my electorate. They included Alberto Lay, someone I have known for many years. I do not wish to dwell on the political history and conditions in East Timor, because they are quite well known. The particular issue to which I draw attention this evening is the acute humanitarian crisis now developing in East Timor.

Over the past 20 years there have been various reports of famine from East Timor. The current situation, however, is much worse. The situation has been exacerbated by two recent developments, the Asian and in particular the Indonesian economic crisis and the drought occasioned by El Nino weather patterns. The current regime in Indonesia is obviously facing a crisis. There has been a massive 80 per cent decrease in the value of its currency, there is considerable unrest in various parts of Indonesia, and there has been a substantial outflow

of foreign capital. Many wealthy Indonesian families have sent their savings out of the country. Those conditions have exacerbated the drought throughout Indonesia. All of these factors are intensified in East Timor. In real terms an acute crisis is developing. For example, the 7,000 people living on Atauro—an island to the north of Dili—are facing starvation. Severe food shortages have also been reported in the towns of Atabai and Maliana, which are to the west of Dili in the western portion of East Timor.

The military and political issues in East Timor make these problems worse. Many farmers have to combat more than the drought. Because of Indonesian military measures many farmers have been prevented from growing crops. This aspect of the matter is getting worse, not better. Fresh Indonesian troops have arrived in East Timor—their numbers have been boosted to 35,000. Mari Alkatiri advises me that the Indonesian armed forces are now involved in a pre-emptive offensive against Fretilin and their supporters in the country. This has further worsened the food supply crisis by interfering with the cultivation of crops. The advice given to me is that aid will be critical in the next several months. An appeal has been made for emergency donations to meet the crisis. Cheques and goods can be sent to the Apheda East Timor appeal. Material collected will be distributed by the Catholic Church in East Timor.

The specific items appealed for include beans, rice, pasta, flour, milk powder and tinned meat. Medicine and clothing are also being sought. My own view is that the appeal should not be restricted to private individuals. I think the Commonwealth Government has a role to play in providing humanitarian relief. The current situation in East Timor is not a matter in which the West has no responsibility. As Mark Aarons and Robert Domm subtitled their book on East Timor, it is "a Western-made tragedy". More directly, successive Australian governments have provided much support to the Indonesian authorities, including various forms of military assistance such as training with Australian troops. Recently dramatic efforts have been put in by Federal governments on behalf of the Indonesian Government with the International Monetary Fund. What I would suggest is that these efforts to assist be extended to the East Timorese people.

During recent times Australia has quite rightly been involved in a substantial aid effort in Papua New Guinea. Even without military occupation there has been significant drought and famine in Papua New Guinea. East Timor, of course, is geographically not very distant from Papua New Guinea. It is also interesting to note that since the

meeting with Mari Alkatiri I have noticed press reports of significant assistance being provided by the Australian military, the Royal Australian Air Force, in particular in Irian Jaya, an area that is very close to East Timor and, one would have thought, not very different in respect of what is likely to be happening with food supplies. It is worth noting that some international action has already occurred. The Portuguese Government has committed \$US5 million over three years to non-government organisations. I call on the Federal Government to join in those measures and to provide humanitarian assistance to non-government organisations in East Timor.

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [5.00 p.m.]: It is true that the East Timorese people have been victims for a long while. The honourable member should be commended for his efforts to organise humanitarian assistance for them. I wish him well in the appeal. It is always the victims, namely women, children and innocent people, who need the most assistance.

#### **BINDAREE BEEF**

##### **ORANGE ELECTORATE HOTEL TRADING HOURS**

**Mr R. W. TURNER** (Orange) [5.01 p.m.]: The McDonald family and their family company Bindaree Beef are principally involved in abattoir operations in Tenterfield and Casino. For the benefit of the people of Orange and the whole of the central west this week the McDonald family reopened the Orange abattoir. I congratulate them on their brave decision to do so at a time when there has been a downturn in the price of beef. I am sure that they will be successful. Orange abattoir has been closed for 10 years. There was scepticism in the community as to whether the McDonald family would reopen the abattoir when they announced that they would do so some 18 months to two years ago.

This week stage one has been opened, with 150 people employed in the boning works. That is all the more important because a few weeks ago ANZCO Foods Pty Ltd scaled down its operations at Blayney abattoir from some 1,600 staff to barely 100 and the operation of the abattoir was put on hold. Some 65 per cent of Bindaree Beef's work force are employees from the Blayney abattoir. Stage two will involve the reopening of the killing chain, the rendering plant and a fully automated blast freezer and other chilling facilities within about 12 months. The plant will be absolutely high-tech. The only way that companies in the abattoir industry

can survive long-term in a competitive market is to ensure that they have the most modern machinery for ultimate efficiency gains.

Principally Bindaree will export rather than supply locally. They will export to Europe, Asia and North America. When the abattoir is fully operational it hopes to have a staff of up to 450. That will be a tremendous economic boost for the whole district. Staff will be drawn from Orange and within 40 to 50 kilometres of Orange. Bindaree will also be environmentally friendly, as no water will be discharged from the site. Whilst only the boning works will function in the first 12 months there will not be a huge amount of water used, but once the killing chain is up and running it will have a high-quality, efficient treatment plant.

The water will be treated and pumped across to Orange City Council's sewage treatment works; but it will bypass the treatment works. The water will be treated to a stage that it will be able to be pumped directly into the line running from the sewage treatment plant out to the new Cadia goldmine. That is extremely important because of the dry conditions in the area. Those dry conditions threaten the opening of the mine later this year, as insufficient water has run into the water storage facilities to commence operations. It is absolutely vital that the mine gets all the water it can.

Bindaree will be pumping up to one million litres a day to the new Cadia goldmine, which adds double value to the water. In the past the water would have been spray irrigated into paddocks or treated and let go down a creek and ultimately into a water catchment area. The water will be reused. When it gets to the mine it will be used four or five times before it evaporates into the air or drains into the soil or into the tailings dam. That is a very efficient way of using water and is a method that will become more common in the future as that valuable commodity is treated with the respect that it deserves. [*Time expired.*]

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [5.06 p.m.]: Obviously the McDonald family has made a considered decision, and it is great news for the city of Orange. The Orange abattoir had been closed for 10 years. The city will derive enormous economic benefits from the reopening of the abattoir.

The honourable member for Orange raised a matter recently about trading hours of the Grand Hotel at Orange. I have raised some of his concerns as quickly as possible with the Liquor



Administration Board. I may be able to ease the problem for the honourable member. The history of this matter is that Mr and Mrs Middleton wrote to the Liquor Administration Board on 1 November 1997 and brought to its attention their complaints in respect of the Grand Hotel, Wellington. On 6 November the board, via departmental officers responding to Mr and Mrs Middleton, advised them of the proper procedures for lodging a complaint under section 104 of the Liquor Act.

Such complaints must be in the form of a statutory declaration. No statutory declaration has ever been lodged with the board. In July 1997 a letter from another person, whose name I will not disclose because he may not want it disclosed, contained an appropriate statutory declaration, but it was not supported by the statutory requirements relating to authorisation. That person was advised of the requirements but to date he has not satisfied them. Accordingly, of course, the board has no jurisdiction until such time as that is done.

According to Mr Armati, the chairperson of the board, a search of the licensing database does not indicate any prosecution or complaint against the licensee of the Grand Hotel. At present no application is before the board from the council or the police for a variation of trading hours. According to the licensing court there is no matter before it on which it could act. I further sought information from the director of compliance. The advice I have received is only preliminary, but I can supply the honourable member with further documentation during the next week which may be of assistance in resolving the problem in Wellington. [*Time expired.*]

#### **PATRICK STEVEDORING DISMISSALS**

**Ms HALL** (Swansea) [5.08 p.m.]: I support the Maritime Union of Australia. I will demonstrate how the actions of Patrick stevedoring and the Federal Government have impacted on one of the 1,400 workers who were dismissed on 7 April. The worker does not want me to name him but wants me to talk about his circumstances and how the dismissal has impacted on him and his family. I will refer to him as John. John worked for 2½ years in Brisbane. He has only recently returned to Newcastle. His wife has cancer. During the years he has had to work in Sydney and in Port Kembla. He has two children, a 19-year-old who is in her first year at university and a 15-year-old. He has worked hard to see his daughter attend a university and hopes that his second child will also attend university.

John has been sacked and he does not know where his next dollar will come from. He has always been a wharfie. He is unskilled for any other work. It is only his knowledge of the waterfront and what he has done on the waterfront that has provided him with an income. He has been sacked—sacked in the name of waterfront reform, sacked by a company whose real agenda is to sack people because they are members of the maritime union, and this action has been supported by the Federal Government. This anti-union, anti-worker stance will have an effect on the whole of Australia. The Maritime Union of Australia has been targeted because it is a strong union. The Federal Government believes that if it can defeat the maritime union it will be able to attack all workers and that will be the end of unionism in Australia. I have news for the Federal Government. The maritime union will hang in there and have the support of its unionists and the community, and at the end of the day the politics of confrontation and division that has been adopted by the Federal Government will lead to its downfall.

Sacking workers like the wharfies at Newcastle, like John to whom I have referred, is causing much division within our society, and the wharfies are actually getting a great deal of support from the community. It is unAustralian that dogs, armed guards and unmarked buses with blackened windows are being used. It is unAustralian that workers are being treated in this way, being kept away from their workplace and being replaced by other people who have simply been brought in to take their jobs. Patrick Roughan, my campaign director in the last State election, was involved in the Mudginberri dispute in 1985-86. The players involved in that dispute are the same players who are involved in the present dispute: the National Farmers Federation and Paul Houlihan. In the Mudginberri dispute they attempted to exclude the union from the award. It is eerie that those two disputes are so closely connected; they are just about the same.

At the end of the day there were no winners in the Mudginberri dispute. Jay Pendarvis lost everything, the abattoirs closed, and the workers lost their jobs. To this day so many of those workers still do not have a job. The coalition parties were in there supporting the National Farmers Federation and the actions that happened at that time. This is all about attacks on workers and unionists, and working to lower the wages and conditions of workers in this country. If they can do it to the maritime union they will do it to anyone. It is working for an imbalance of power, looking after those who are privileged at the expense of the workers.

I congratulate Laurie Steen and Jim Boyle, the officials of the Maritime Union of Australia, who have run a fine campaign in Newcastle. The picket line has been conducted in an outstanding way, and they have succeeded in ensuring that no scabs worked on the Newcastle docks. To this day not one scab has worked on the Newcastle docks; it has been a very peaceful picket. On 19 April unionists from the entire Hunter region joined together at the May Day picnic to show their solidarity for the maritime union and the effort that the union has made, not only for its members but for the members of all unions and workers in Australia, to ensure that workers have rights and that no employer has the right to sack workers just because they are members of a union. [*Time expired.*]

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [5.13 p.m.]: The honourable member for Swansea has raised the important issue of the role of the Maritime Union of Australia. As I said in my remarks to the honourable member for Wallsend, I have lived all my life in the Newcastle area. I have been involved in various facets of life there, and I have never before seen the support that I have seen in the last few weeks. There seems to be a general conception that the MUA might need some change. A great deal of change has occurred in waterfront reform, especially in Newcastle. This dispute has backfired because people see this as a very serious innovation: dogs, balaclavas, and trying to use police as battering rams. Generally speaking, most of the police who are stationed in Newcastle have come from working-class backgrounds or worked in industry. Therefore they take a considered view that they are not there to be on the side of Patrick or the MUA but, rather, just to keep the peace.

I raise an important factor in relation to this dispute. Roman Catholic Bishop Michael Malone and Anglican Bishop Roger Herft have expressed their concerns at what is happening in our society. This shows the Federal Government has a very real problem. I understand that Mr Howard is not very happy about that, but both bishops are people of considerable integrity and social conscience. They did not lambast anyone but, rather, said it was a very serious innovation in our society. That is why it has been so successful in the Newcastle Hunter area, in the sense that it has been peaceful; there has been a good spirit. As I said earlier, people have come together in a way that I have not seen probably since the split of the 1950s, of which my father was a victim, when the Trades Hall Council, the Labor Council and everyone in various unions split. Therefore I commend the honourable member for

Swansea for what she has placed before the Parliament tonight.

### DAIRY INDUSTRY DEREGULATION

**Mr SMITH** (Bega) [5.15 p.m.]: Dairy farmers in the electorate of Bega are facing a desperate situation. Combined with the drought, they now have to deal with the uncertainty caused by the lack of a decision by this Government on deregulation of the dairy industry. Under the current regulated system farmers have invested hundreds of thousands of dollars in buying quota. Quota signifies the amount of milk the New South Wales Dairy Corporation will buy from a farmer at a fixed price. Any additional milk that is produced is generally referred to as manufacturing milk and is purchased by dairy companies or co-operatives for the manufacture of dairy products. That system has served the dairy community well up until now, but the Hilmer report has challenged the status quo, and, as with many other industries, deregulation of the system is well and truly possible.

I do not question the right of this or any other government to examine regulated industries such as the dairy industry. However, the Government is taking an unacceptable time to make a decision. The industry is almost at a standstill, with farmers—or, more realistically, their financiers—unwilling to invest in the expansion of their farms, and with people reluctant to buy into the industry at this time. The review committee completed its deliberations last November and presented its report to the Minister. However, the Minister's decision has been delayed on a number of occasions, and I have heard that the latest date for a decision is still a long way off.

The President of the Dairy Farmers Association, Reg Smith, only recently cancelled scheduled meetings with dairy farmers to explain the implications of the Minister's proposed decision. The uncertainty as to whether the whole milk market will be deregulated is putting unbearable pressure on dairy farmers at a time of extreme drought on the far south coast. Many droughts have occurred in the past, but older residents cannot remember one as severe as the present one. I remind honourable members that when it rains it does not rain dollars. The recent rains in New South Wales have been very patchy, and the far south coast and Monaro missed out once again. We need many weeks of good, soaking rain to replenish the dams and subsoil, and even then it will take two to three years before farmers recover. Many will not. It is only fair that they should know what the future holds to enable them to prepare budgets at this extremely difficult time.

Dairy farmers have the added expense of having to irrigate, if they are lucky enough to be able to, and, like most other farmers, they have to pay an ever-increasing price for grain-processed feeds and fodder as on-farm supplies diminish. One must remember that dairy farmers in New South Wales produce milk for supermarkets 365 days of the year at a set price regardless of whether they are in drought, how much the feed may cost, and how expensive the water may be to irrigate. At the end of the day any decision must reflect these factors, which are not present to such an extent in other rural industries. If the Minister's decision is to deregulate, consumers will not get cheaper milk. That has been proven in Victoria. Rather, there would be great variation in both price and supply of milk to the householder.

Removal of the drought relief subsidy on freight for stock to and from agistment and for the transport of stock feed is another slap in the face. Instead of acknowledging the dire situation, the Government seems hell-bent on totally destroying rural industries. On top of that there exist today what I describe as the worst terms of trade that rural industries have ever experienced. There is an obvious, but belated way, that the Carr Government can assist dairy farmers, not only in my electorate but in the whole of the State: by making a decision on the competition policy review. I call on the

Minister to make that decision without further delay as I cannot overemphasise the difficulties that dairy farmers and rural industries generally now face. I have been a farmer for 25 or 30 years and I cannot remember a drought on the far south coast or in the Monaro area that would equal the severity of the present drought. It is imperative that the decision is made quickly. [*Time expired.*]

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [5.20 p.m.]: I take on board what the honourable member for Bega has said, and I will refer his concerns about milk problems to the Minister for Agriculture. Within the industry there seems to be a great difference of opinion and people have visited my office to raise concerns about milk vendors. Deregulation has certainly been the biggest change since the exclusion of various parts of the State under the former undemocratic system which applied when the Labor Party came to government in 1976. Under that system certain people were excluded, and that exclusion engendered a great deal of emotion in the then Country Party, which was opposed to the change. But all that has gone by the wayside now. I will refer this matter to the Minister.

**Private members' statements noted.**

**House adjourned at 5.22 p.m.**

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